

By Mr. TOMPKINS: Petition of Painters and Paper Hangers' Union No. 122, of Newburgh, N. Y., against immigration from south and east of Europe—to the Committee on Immigration and Naturalization.

Also, resolutions of Millard Division, No. 104, Railway Conductors, Middletown, N. Y., favoring a further restriction of Chinese Immigration—to the Committee on Foreign Affairs.

SENATE.

WEDNESDAY, April 9, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. HARRIS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

O. H. P. WAYNE.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of O. H. P. Wayne v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

JOSIAH J. BRYAN.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of John Bryan, administrator of Josiah J. Bryan, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. J. W. BROWNING, its Chief Clerk, announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 11535) for the protection of game in Alaska, and for other purposes; and

A joint resolution (H. J. Res. 173) to authorize the Commissioners of the District of Columbia to issue certain temporary permits.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 2442) confirming title to the State of Nebraska;

A bill (H. R. 10117) granting a pension to Sarah H. H. Lowe; and

A bill (H. R. 10530) to repeal war-revenue taxation, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. FOSTER of Washington presented a petition of Stone Masons' Local Union No. 5, of Seattle, Wash., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented petitions of Stonemasons' Local Union No. 5, of Seattle, and of Carpenters' Local Union No. 98, of Spokane, in the State of Washington, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

Mr. CLARK of Montana presented a petition of the Montana State Agricultural Association, praying for the enactment of legislation providing for the irrigation of the arid lands of the West; which was ordered to lie on the table.

He also presented a petition of Local Division No. 191, Order of Railway Conductors, of Glendive, Mont., praying for the re-enactment of the Chinese-exclusion law; which was ordered to lie on the table.

He also presented a petition of Mill and Smelters' Local Union No. 117, American Federation of Labor, of Anaconda, Mont., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a memorial of Typographical Union No. 126, American Federation of Labor, of Butte, Mont., remonstrating against the adoption of certain amendments to the present copyright law; which was referred to the Committee on Patents.

Mr. CARMACK presented petitions of Bricklayers' Local Union No. 1, of Memphis; of Retail Clerks' Local Union No. 151, of Memphis, in the State of Tennessee; of the American Federation of Labor, the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen, the Order of Railway Conductors, the Brotherhood of Railway Trainmen, the Order of Railway Telegraphers, the Sailors' Union of the Pacific, the In-

ternational Seamen's Union of America, and the Chinese-Exclusion Commission of California, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

He also presented petitions of Paper Hangers' Local Union No. 83, of Barbers' Local Union No. 79, of the Nashville Typographical Union, and of Plasterers' Local Union No. 91, of Nashville; of Beer Bottlers' Local Union No. 195, of the Marine Engineers' Beneficial Association No. 20, of Switchmen's Local Union No. 127, and of Bricklayers' Local Union No. 1, of Memphis; of Knoxville Typographical Union, No. 111, and of Paper Hangers' Local Union No. 14, of Knoxville; of Painters, Decorators, and Paper Hangers' Local Union No. 226, and of Iron Molders' Local Union No. 53, of Chattanooga; of Tobacco Workers' Local Union No. 52, and of Iron Molders' Local Union No. 355, of Bristol; of Clarksville Typographical Union, No. 436, of Clarksville, and of Iron Molders' Local Union No. 165, of South Pittsburg, all in the State of Tennessee, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Antrim, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. DOLLIVER presented a petition of the Business Men's Association of Davenport, Iowa, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Bankers' Association of Cedar Rapids, Iowa, praying for the repeal of the present bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Business Men's Association of Pella, Iowa, remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented sundry papers to accompany the bill (S. 1261) granting a pension to Nathan L. Faulkner; which were referred to the Committee on Pensions.

He also presented petitions of Local Division No. 93, of Fort Dodge; of Lodge No. 130, of Eagle Grove; of Lodge No. 86, of Perry; of Lodge No. 520, of Council Bluffs; of Lodge No. 430, of Lake City; of Lodge No. 133, of Clinton; of Lodge No. 515, of Fort Madison; of Lodge No. 352, of Estherville, and of Lodge No. 56, of Twin City, all of the Brotherhood of Railroad Trainmen, in the State of Iowa, praying for the passage of the so-called Foraker-Corliss safety-appliance bill; which were referred to the Committee on Interstate Commerce.

He also presented petitions of Coopers' Union No. 426, of Ottumwa; of Local Union No. 162, of Ottumwa; of Painters' Local Union No. 136, of Ottumwa, and of Local Union No. 313, of Ottumwa, all of the American Federation of Labor; of Local Union No. 869, United Mine Workers of America, of Boonsboro, and of Lodge No. 138, Brotherhood of Railroad Trainmen, of Eagle Grove, all in the State of Iowa, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which were ordered to lie on the table.

He also presented petitions of Painters, Decorators, and Paper Hangers' Local Union No. 548, American Federation of Labor, of Fairfield, and of Lodge No. 29, Brotherhood of Locomotive Firemen, of Mason City, all in the State of Iowa, praying for the re-enactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of Lodge No. 515, Brotherhood of Railroad Trainmen, of Fort Madison; of Local Union No. 548, American Federation of Labor, of Fairfield, and of the Painters, Decorators, and Paper Hangers' Local Union No. 83, American Federation of Labor, of Keokuk, all in the State of Iowa, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented a petition of Lodge No. 515, Brotherhood of Railroad Trainmen, of Fort Madison, Iowa, praying for the enactment of legislation providing for the exclusion of all alien labor coming into this country; which was referred to the Committee on Education and Labor.

Mr. FAIRBANKS presented a petition of Federal Labor Union, No. 9370, American Federation of Labor, of Petersburg, Ind., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. HOAR presented a petition of the Central Labor Union of Fitchburg, Mass., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

Mr. QUAY presented a petition of Onoke Lodge, No. 211, Brotherhood of Locomotive Firemen, of Easton, Pa., praying for the

enactment of legislation providing for the irrigation of the arid lands of the West; which was ordered to lie on the table.

He also presented a memorial of Typographical Union No. 2, of Philadelphia, Pa., remonstrating against the adoption of certain amendments to the present copyright law; which was referred to the Committee on Patents.

He also presented petitions of the Central Labor Union of Meadville, of the Central Labor Union of Lancaster, of the Central Labor Union of Shamokin, and of the Central Labor Union of Ashland, all of the American Federation of Labor, in the State of Pennsylvania, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented petitions of Captain Philip R. Schuyler Post, No. 51, of Philadelphia; of George Cook Post, No. 315, of Wellsboro; of Post No. 408, of Liverpool; of Robert Oldham Post, No. 523, of South Bethlehem; of N. I. Pennington Post, No. 283, of Fairmount Springs; of Lieutenant William H. Childs Post, No. 286, of Marietta; of Post No. 45, of Phoenixville; of Dr. G. L. Potter Post, No. 261, of Milesburg; of George W. Moyer Post, No. 379, of Loganton, all of the Department of Pennsylvania, Grand Army of the Republic; of Colonel Ellsworth Circle, No. 420, Ladies of the Grand Army of the Republic, of Pittsburg, all in the State of Pennsylvania, praying for the enactment of legislation authorizing the granting of pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and increasing the pensions of widows of soldiers to \$12 per month; which were referred to the Committee on Pensions.

Mr. PENROSE presented a petition of 15 citizens of Euclid, and of 67 citizens of West Liberty, in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of Caroline Scott Harrison Circle, No. 78, Ladies of the Grand Army of the Republic, Department of Pennsylvania, praying for the enactment of legislation authorizing the granting of pensions to certain officers and men in the Army and Navy of the United States when 50 years of age, and to increase pensions of widows of soldiers to \$12 per month; which was referred to the Committee on Pensions.

He also presented petitions of 36 citizens of Meadville, of 102 citizens of Deodate, and of 35 citizens of Corry, all in the State of Pennsylvania, praying for the passage of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of Glass Bottle Blowers' Local Union No. 83, of Kane, and of Journeymen Plumbers' Local Union No. 147, of Wilkesbarre, of the American Federation of Labor, in the State of Pennsylvania, praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which were referred to the Committee on Naval Affairs.

He also presented petitions of Holbrook Local Union, No. 378, Brotherhood of Locomotive Fireman, of McKees Rocks, Pa., and of the Honolulu Branch of the Sailors' Union, of Honolulu, Hawaiian Islands, praying for the enactment of legislation to exclude Chinese laborers from the United States and their insular possessions; which were ordered to lie on the table.

Mr. KITTREDGE presented a memorial of Typographical Union No. 218, of Sioux Falls, S. Dak., remonstrating against the adoption of certain amendments to the present copyright law; which was referred to the Committee on Patents.

He also presented the petition of Leon Steffle and 94 other citizens of Bowdle, S. Dak., praying for the adoption of the metric system of weights and measures; which was referred to the Select Committee on Standards, Weights, and Measures.

Mr. QUARLES presented a petition of the Woman's Christian Temperance Union, of Green County, Wis., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Wisconsin Grand Lodge, Independent Order of Good Templars, praying for the enactment of legislation providing for the improvement of the post exchanges; which was referred to the Committee on Military Affairs.

He also presented a petition of the Wisconsin State Game Protective Association, praying for the enactment of legislation providing for the protection of game; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BLACKBURN presented a petition of Wellington Harlan Post, No. 76, Department of Kentucky, Grand Army of the Republic, of Danville, Ky., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. FRYE presented a memorial of Jersey Shore Division, No. 98, of the Order of Railroad Telegraphers, of Castanea, Pa., remonstrating against the adoption of the enacting clause in the bill (S. 4553) to limit the meaning of the word "conspiracy" and

the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of the Maine State Board of Trade, of Portland, Me., praying for the adoption of certain amendments to the present bankruptcy law; which was referred to the Committee on the Judiciary.

MEDICAL INSPECTION OF PUBLIC SCHOOLS.

Mr. GALLINGER. I have an interesting communication from the Medical Society of the District of Columbia relative to the establishment of a system of medical inspection of the public schools of the District. I move that the communication be printed as a document, and referred to the Committee on the District of Columbia.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. LODGE, from the Committee on Foreign Relations, reported an amendment providing for the appointment by the Spanish Claims Commission of not exceeding two commissioners to take testimony in the island of Cuba, and providing for their compensation; and also authorizing the said commission, in place of the two clerks now in service, to employ an assistant clerk at the rate of \$2,400, and one clerk at the rate of \$1,600 per annum, intended to be proposed to the sundry civil appropriation bill; and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 4762) to prevent any consular officer of the United States from accepting any appointment from any foreign State as administrator, guardian, or to any other office of trust, without first executing a bond, with security, to be approved by the Secretary of State, reported it without amendment.

Mr. BERRY, from the Committee on Commerce, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4776) to authorize the construction of a bridge across the Emory River, in the State of Tennessee, by the Tennessee Central Railway or its successors; and

A bill (S. 4777) to authorize the Nashville Terminal Company to construct a bridge across the Cumberland River in Davidson County, Tenn.

Mr. FAIRBANKS, from the Committee on Immigration, to whom was referred the bill (H. R. 13031) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent, reported it without amendment.

Mr. MORGAN, from the Committee on Foreign Relations, to whom was referred the joint resolution (S. R. 52) authorizing the President of the United States to invite the Government of Great Britain to join in the formation of an international commission to examine and report upon the diversion of the waters that are the boundaries of the two countries, reported it with amendments.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 10091) granting a pension to Blanche Duffy, reported it without amendment, and submitted a report thereon.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6805) granting an increase of pension to Robert E. Stephens;

A bill (H. R. 2241) granting an increase of pension to Dorothy S. White;

A bill (H. R. 1636) granting an increase of pension to James Austin;

A bill (H. R. 7369) granting an increase of pension to Perry H. Alexander; and

A bill (H. R. 9847) granting an increase of pension to Zachariah R. Saunders.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 4861) to regulate the assessment and collection of personal taxes in the District of Columbia, reported it with amendments, and submitted a report thereon.

Mr. CULLOM, from the Committee on Foreign Relations, reported an amendment proposing to appropriate \$5,000 for inspection and repair of the monuments marking the boundary line between the United States and Mexico, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. BATE introduced a bill (S. 5075) granting a pension to Eliza A. Brownlow; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 5076) granting an increase of pension to Katharine W. Clarke; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5077) to reappoint Warren C. Beach a captain in the Army, and to place him on the retired list, in addition to the number now authorized; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a bill (S. 5078) to remove the charge of desertion from the military record of John Esseltine; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. DOLLIVER introduced a bill (S. 5079) for the relief of George P. White; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5080) granting a pension to Hester A. Farnsworth; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5081) granting an increase of pension to John D. Pickard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5082) granting an increase of pension to John W. Harvey;

A bill (S. 5083) granting a pension to Benjamin F. Fell;

A bill (S. 5084) granting an increase of pension to James Devor;

A bill (S. 5085) granting a pension to Abigail Campbell;

A bill (S. 5086) granting an increase of pension to William M. Cockrum;

A bill (S. 5087) granting an increase of pension to Benjamin F. Carter;

A bill (S. 5088) granting a pension to Maggie E. Knight;

A bill (S. 5089) granting an increase of pension to James H. King; and

A bill (S. 5090) granting an increase of pension to Edwin W. Harleman.

Mr. McCUMBER introduced a bill (S. 5091) to grant land warrants to the Delaware Indians residing in the Cherokee Nation; which was read twice by its title.

Mr. McCUMBER. To accompany the bill, I present a memorial of the Delaware Indians, which I move be printed as a document and referred, together with the bill, to the Committee on Indian Affairs.

The motion was agreed to.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5092) for the relief of the estate of Henry Sewell, deceased (with accompanying papers);

A bill (S. 5093) for the relief of W. W. Fussell; and

A bill (S. 5094) for the relief of the estate of John Henley, deceased (with accompanying papers).

Mr. CARMACK introduced a bill (S. 5095) for the relief of William M. Henry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 5096) granting an increase of pension to Charles W. May; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5097) granting an increase of pension to Albert E. Osborne; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GIBSON introduced a bill (S. 5098) for the relief of the county of Flathead, State of Montana; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5099) granting a pension to Spencer Woods (with accompanying papers);

A bill (S. 5100) granting an increase of pension to William P. Marshall (with an accompanying paper);

A bill (S. 5101) granting an increase of pension to Thaddeus K. Miller (with an accompanying paper); and

A bill (S. 5102) granting an increase of pension to John B. Glover (with an accompanying paper).

Mr. PENROSE introduced a bill (S. 5103) to promote the efficiency of the clerical service in the Navy of the United States, to organize a clerical corps of the Navy of the United States, to define its duties, and to regulate its pay; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. SIMON introduced a bill (S. 5104) granting a pension to Reuben F. Canterbury; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. KITTREDGE introduced a bill (S. 5105) fixing the terms of the circuit and district courts in and for the district of South Dakota, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BURNHAM introduced a bill (S. 5106) granting an increase of pension to Horace L. Richardson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 5107) for the relief of Maurice Langhorne; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5108) granting an increase of pension to Leonard F. Otey; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MASON introduced a bill (S. 5109) granting an increase of pension to Lewis M. Gillaspie; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5110) for the relief of Stephen Bird, executor of John Bird, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 5111) for the erection of a public building at Richmond, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 5112) for the relief of the estate of R. J. H. Hatchett; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAIRBANKS introduced a bill (S. 5113) to provide for the purchase of a site and the erection of a public building thereon to be used for a hall of records; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BURTON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5114) granting an increase of pension to Joel E. Cox;

A bill (S. 5115) granting a pension to Ann Wilburn; and

A bill (S. 5116) granting an increase of pension to John Clay.

Mr. BURTON introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5117) granting an increase of pension to John U. Allen;

A bill (S. 5118) granting an increase of pension to Adam Stuber;

A bill (S. 5119) granting an increase of pension to Samuel S. Walch;

A bill (S. 5120) granting an increase of pension to James W. Evans;

A bill (S. 5121) granting an increase of pension to Winfield S. Maxwell;

A bill (S. 5122) granting an increase of pension to William S. Burch; and

A bill (S. 5123) granting an increase of pension to James McMorro.

He also introduced a bill (S. 5124) for the relief of James A. Carroll; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. LODGE introduced a joint resolution (S. R. 77) providing for printing the general index to published volumes of the Diplomatic correspondence and foreign relations of the United States; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McMILLAN submitted an amendment proposing to appropriate \$5,000 for the purchase of land belonging to heirs of M. H. Schneider, adjoining the present Garfield Memorial Hospital land on the west, in the District of Columbia, and for leveling and improving the same, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$206.02 for burial expenses of Elmer B. Gavett, late lieutenant, Thirty-ninth Infantry, United States Volunteers, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HANSBROUGH submitted an amendment proposing to increase the appropriation for military posts from \$1,500,000 to

\$1,700,000, and providing for the expenditure of \$200,000 of said amount in the erection of additional buildings at Fort Lincoln, N. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McENERY submitted an amendment proposing to appropriate \$4,785.55 to pay E. A. McIlhenny for rescuing, housing, feeding, clothing, and caring for shipwrecked sailors in the Arctic Ocean in the years 1897 and 1898, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. BACON submitted an amendment proposing to appropriate \$1,000 each to pay the rental for suitable rooms and accommodations for the holding of the circuit and district courts in the northern district of Georgia at Athens, Ga., and at Rome, Ga., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. MALLORY submitted an amendment proposing to appropriate \$29,000 for continuing the improvement of the Indian River, Florida, between Goat Creek and Jupiter Inlet, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

BENJAMIN FRANKLIN HANDFORTH.

Mr. DEBOE. A few days ago I introduced a bill (S. 4641) for the relief of Benjamin Franklin Handforth, and it was referred to the Committee on Claims by mistake. I move that that committee be discharged from the further consideration of the bill and that it be referred to the Committee on Military Affairs.

The motion was agreed to.

MICHAEL HAYES.

Mr. MARTIN. On the 18th ultimo the bill (H. R. 6847) to correct the military record of Michael Hayes was adversely reported from the Committee on Military Affairs and indefinitely postponed. I was not present when that order was made. I should like to have the bill go on the Calendar with the adverse report. I ask that the order indefinitely postponing the bill may be set aside, and that the bill be placed on the Calendar with the adverse report of the committee.

The PRESIDENT pro tempore. Without objection, the vote by which the bill referred to by the Senator from Virginia was indefinitely postponed will be reconsidered, and the bill will be placed on the Calendar with the adverse report of the committee.

WITHDRAWAL OF PAPERS.

On motion of Mr. PENROSE, it was

Ordered, That leave be granted Benjamin F. Hasson to withdraw from the files of the Senate the papers in his case, copies of the same having been left in the files, as provided by clause 2 of Rule XXX.

REGULATIONS FOR EXCLUSION OF CHINESE.

Mr. PATTERSON. I submit a resolution for immediate action. The resolution was read, as follows:

Resolved, That the Secretary of the Treasury be directed to supply the Senate the regulations promulgated December 8, 1900, relating to Chinese exclusion, or regulations of any date subsequent to October 1, 1900.

Mr. PATTERSON. I wish to state that there was some dispute yesterday as to whether the regulations contained in the pamphlet which was issued on the 1st of October were all the regulations concerning Chinese exclusion. I am informed that regulations subsequent to October 1 have been issued and are not contained in the pamphlet which was printed last night under the order of the Senate.

Mr. PLATT of Connecticut. I did not hear the Senator's statement.

Mr. FORAKER. Let the resolution be again read.

The Secretary again read the resolution, and the Senate, by unanimous consent, proceeded to its consideration.

Mr. LODGE. Is not that the pamphlet which is on our tables this morning?

Mr. PLATT of Connecticut. I should like to inquire whether the pamphlet on our tables includes all the regulations or not.

Mr. PATTERSON. No; it does not. The pamphlet contains the regulations up to October 1, but regulations were issued, as I am informed, December 8, after the promulgation of the regulations that are on our tables.

Mr. HOAR. I suggest to the Senator from Colorado to insert the words "send to the Senate" instead of the word "supply." "Supply" is not our usual phrase in such a direction.

Mr. PATTERSON. Very well; let the resolution be so modified.

Mr. FORAKER. Before the resolution is voted upon, I should like to ask the Senator from Colorado, who is more familiar with this publication than I am, whether it contains the dates at which the regulations that are here published were adopted by the Treasury Department?

Mr. PATTERSON. Immediately following the title-page you will find a letter from T. V. Powderly, Commissioner-General, under date of October 1, 1900.

Mr. FORAKER. I understand, but I have not yet been able to find anything in the publication showing at what time the regulations were adopted, whether they were in force, for instance, at the time of the enactment of the law of 1892, or whether they were adopted subsequently thereto. I supposed when I sent the compilation to the desk yesterday, and asked that it might be printed as a Senate document, that it contained all the Treasury regulations which had been adopted and are in force, and that it gave the dates when they had been adopted. I got the publication from the Senator from Colorado, and I supposed from what he told me about it that it had all that information in it. What I call attention to now is the apparent lack of the dates, and I request that the resolution may be so amended as to call for that information also.

Mr. PATTERSON. Any amendment that will make the information we get more definite will be very gratifying to me. The letter of Mr. Powderly shows that the compilation is made up to date, and the date is October 1, 1900. What I desire to have for the information of the Senate are the regulations which, I understand, have been promulgated since that time, and which are not now before the Senate.

Mr. FORAKER. I do not suppose any Senator has an objection to that, but we are furnished with certain regulations of the Treasury Department which the publication shows were at some time in the past adopted, but what I want is the dates when the regulations were adopted.

Mr. PATTERSON. Then I suggest that there be incorporated in the resolution a request that the Secretary of the Treasury will also inform the Senate when the several regulations that are contained in Document No. 291 of the Senate were adopted or promulgated.

The PRESIDENT pro tempore. The Senator from Colorado modifies his resolution. The Secretary will read it as modified.

The Secretary read as follows:

Resolved, That the Secretary of the Treasury be directed to send to the Senate the regulations promulgated December 8, 1900, relating to Chinese exclusion, or regulations of any date subsequent to October 1, 1900, and also that—

Mr. BLACKBURN. You use the word "or." It should be "and."

Mr. PATTERSON. Where the word "or" is used insert "and." Now let the Secretary read it entire as modified.

The Secretary read as follows:

Resolved, That the Secretary of the Treasury be directed to send to the Senate the regulations promulgated December 8, 1900, relating to Chinese exclusion, and regulations of any date subsequent to October 1, 1900; and also that he will inform the Senate when the several regulations in Document No. 291 of the Senate were adopted or promulgated.

The PRESIDENT pro tempore. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

SALARIES OF POSTMASTERS IN COLORADO.

Mr. TELLER. I send to the desk a resolution, and ask for its present consideration.

The resolution was read, as follows:

Resolved by the Senate, That the Postmaster-General be, and hereby is, directed to report to the Senate the amount of salary required to be paid to each of the postmasters in the State of Colorado named on the memorandum schedule hereto attached, or to their heirs, for services as postmasters in each biennial term specified on such memorandum schedule, in order to make effective sections 473, 474, and 475 of the postal regulations of 1896, and the act of June 12, 1896, section 8, and the act of March 3, 1883, as construed by Postmaster-General Gresham in an order dated June 9, 1883, addressed to Hon. Frank Hatton, First Assistant Postmaster-General, and in a declaration as to the intent, meaning, and requirement of said statutes furnished for publication to the press through Chief Clerk Walker on February 16, 1884, and printed as Exhibit A, Senate Executive Document No. 148, Forty-ninth Congress, first session.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. ALLISON. As near as I can ascertain from the reading of the resolution, it has reference to a very old controversy, and I hope the Senator from Colorado will allow it to go to the Committee on Post-Offices and Post-Roads.

Mr. TELLER. It does not have reference to a very old controversy.

Mr. ALLISON. Well, a controversy since 1883.

Mr. TELLER. Yes. That is not very old. I have no objection to the reference of the resolution if the Committee on Post-Offices and Post-Roads will ever report it. If they do not I shall endeavor to have it brought before the Senate in some shape. We have attempted for some time to get from the Government archives a report as to what the books of the Government show. There is a considerable number of claims in Colorado, and the aggregate amounts to about \$15,000. The claims run all the way from \$50 up to \$500 and \$600.

Mr. ALLISON. The amount is not large as applied to Colorado.

Mr. TELLER. The resolution applies only to Colorado.

Mr. ALLISON. It applies only to Colorado, but of course whatever is done with Colorado will be done with other States, and it involves several million dollars in the aggregate.

Mr. TELLER. I do not know about that; but if the money is due from the Government of the United States to these people the Government ought to be able to pay it.

Mr. ALLISON. Yes, they ought. I agree to that.

Mr. TELLER. And the Government ought to be bound by its own books. If the books show that this money is due to these claimants, the Government ought to pay it. If the committee do not report the resolution, I intend to press this matter for action in some shape until we do get the information.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. ALLISON. I understood the Senator from Colorado to agree that it shall be referred to the Committee on Post-Offices and Post-Roads.

Mr. TELLER. If the Senator from Iowa objects to its consideration, of course I will agree to the reference.

Mr. ALLISON. I do object to its adoption without a reference.

Mr. TELLER. I understood that the Senator objected. I should not myself desire a reference to the committee.

The PRESIDENT pro tempore. The Senator from Iowa moves that the resolution be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

CHINESE EXCLUSION.

Mr. PENROSE. I move that the Senate proceed to the consideration of Senate bill 2960—the Chinese-exclusion bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent.

Mr. GALLINGER. Mr. President, to my mind this bill is uncalled for, unnecessary, unwise, and un-American. It is harsh in its provisions, unjust in its definitions, and clearly violative of solemn treaty stipulations. It is the kind of legislation that prejudice engenders and unthinking agitation produces. It is a measure aimed at a weak people, and which would never be dreamed of in connection with any nation able to defend itself. It is narrow, bigoted, intolerant, and indefensible legislation. It assumes conditions that do not exist, and aims to correct evils that are purely imaginary. It suggests the want of laws to prevent undesirable Chinese immigration into this country, when the fact is that existing laws are entirely adequate to accomplish that purpose.

The bill comes to the Senate bearing the indorsement of the Pacific coast Senators. It is called a Pacific coast bill, and we are asked to support it because of certain alleged evils that exist on the Pacific coast in connection with Chinese immigration. The authorship of the bill has been somewhat in doubt, and had not the junior Senator from Massachusetts assured the Senate that it is a well-digested measure, one might well have attributed it to the fertile brain of some sand-lot agitator. Fortunately for us all the authorship of the bill has come to light, as will be seen by this extract from the statements made before the Committee on Immigration of the Senate when they had this bill under consideration.

A Mr. Livernash was before the committee, and he was asked by the chairman:

Will you please state whom you represent?

Mr. LIVERNASH. I particularly represent the State of California as a State, under a commission issued by the governor of California, the commission extending to the duty of pleading for California with members of the Congress, with a view to bringing about the enactment of a thoroughly satisfactory law for the exclusion of Chinese immigrants other than those permitted by the convention of 1894 between the United States and China to enter our territory.

I also appear as the commissioned representative of a popular convention held in California in the closing days of November, a convention made up of 1,000 delegates, representing civic, industrial, and other organizations of that State.

I further appear as the friend and associate of the American Federation of Labor, as a result of conferences concerning the bill I purpose, with the indulgence of this committee, to discuss. That bill I feel particularly interested in in that it was drafted by me and has been indorsed and approved first by the California commission, of which I am a member, afterwards by the American Federation of Labor, and subsequently by the Pacific coast Senators and Representatives in Congress.

So this bill was born in the brain of Mr. Livernash, and came into the possession of the Pacific coast Senators after it had been christened and received the blessing of this distinguished advocate of anti-Chinese legislation.

Mr. President, the purpose of the bill is ostensibly the exclusion of Chinese laborers from the United States, but it goes much

further than that. A laborer is understood, according to the definition given in the existing law, to mean both skilled and unskilled laborers, including Chinese employed in mining, fishing, huckstering, peddling, as well as laundrymen and those engaged in taking, drying, or otherwise preserving shell or other fish for home consumption or exportation. (Act November 3, 1893, section 2.)

There is no serious difference of opinion as to the wisdom of excluding this class of Chinese from the United States. It has become almost an established policy of this country. Both parties are in favor of maintaining it. The healthy growth of American institutions demands it; the protection of American labor demands it. We are nearly all in favor of the exclusion of Chinese laborers, but I wish to point out that the present bill goes very much further than the necessities of the situation demand. This is evident from a cursory examination of the bill. Take the last clause of section 3, for example:

Every Chinese person shall be deemed a laborer, within the meaning of this act, who is not an official, a teacher, a student, a merchant, or a traveler for curiosity or pleasure, as hereinafter defined.

This is the drag-net provision which will catch every Chinaman who attempts to enter this country. The ostensible openings in this drag net are in the shape of the five exempt classes, and are more illusory than real. Let me first call attention to the definition of "teacher" as given in the bill:

The term "teacher," used in this act, shall be construed to mean only one who, for not less than two years next preceding his application for entry into the United States, has been continuously engaged in giving instruction in the higher branches of education, and who proves to the satisfaction of the appropriate Treasury officer that he is qualified to teach such higher branches and has completed arrangements to teach in a recognized institution of learning in the United States and intends to pursue no other occupation than teaching while in the United States.

This provision means, if it means anything, that only such Chinese as may have been invited to become professors in our colleges and universities can come to this country. The only American university that is looking for a Chinese scholar, so far as I know, to fill the professorship of Chinese language and literature is Columbia University. There is a possibility that Yale and Harvard may also be thinking of doing the same thing. In any case the number of Chinese which the bill allows to come to this country under this head is practically restricted to three or four. Let me ask, did the Chinese Government have only three or four persons in mind when it inserted the word "teacher" in the treaties? No reasonable man will think so.

Now, let us take the definition of "student" as given in section 7 of the bill.

The term "student," used in this act, shall be construed to mean only one who intends to pursue some of the higher branches of study, or to be fitted for some particular profession or occupation for which facilities of study are not afforded in the foreign country or the territory of the United States whence he comes, and for whose support while studying adequate provision has been made, and who intends to return whence he came immediately on the completion of his studies.

I read the text as it was originally in the bill as reported from the committee. It has not been materially modified. This is a definition not to be found in any dictionary and utterly unwarranted. Surely China did not have it in mind when the treaty was negotiated. One of the conditions for the admission of a student to this country is that adequate facilities for study are not afforded in the foreign country whence he comes. This clause practically excludes all who may wish to come to the United States as students, for there are advanced schools and established colleges in China. There is an imperial university in Peking, another university in Tientsin, and another in Canton. Now, if young men are not allowed to enter this country unless "no adequate facilities for study" are afforded in China, this absolutely restricts the number of admissible students to a very small number. Now, why do American students go to Europe for study? Not because facilities for study in Europe are greater than those afforded in America. We know that students often go to this or that college because of a wish to study under this or that professor. Professor Dwight used to attract students to the Columbia Law School. The same may be said of Professor Dana, of Yale, and Professor Cope, of the University of Pennsylvania. This provision of the bill leaves out entirely the personal element that often governs a student's choice of a college. It is impossible that the Chinese Government should have understood the word "student" in the very narrow and restricted sense of post-graduate study given to it by this bill.

It has been said that the restriction of the exempt classes of Chinese to officials, teachers, students, merchants, and travelers has been acquiesced in by the Chinese Government, but I have documentary evidence to the contrary. In the treaty of 1880 it is expressly provided that only laborers come within its purview, "other classes not being included in the limitations." The treaty of 1894 modifies the treaty of 1880 only so far as to give the United States the right of absolute exclusion of laborers, which it did not have under the treaty of 1880. The rights of other

classes than laborers are not affected in any way by the treaties. They are to enjoy the rights, immunities, and exemptions accorded to the most favored nation. For sixteen years—that is, from 1882 to 1898—the executive branch of the Government recognized only two classes of Chinese in the administration of the Chinese-exclusion laws, namely, Chinese laborers and Chinese other than laborers. This distinction is clearly made in the act of May 5, 1892, and the act of November 3, 1893. In section 6 of the act of May 5, 1892, it is made obligatory upon Chinese laborers to register and take out certificates of residence, while it is optional with Chinese persons other than laborers to do so. And the same distinction appears in the act of November 3, 1893.

In 1898, four years after the ratification of the treaty of 1894, the last treaty made between the United States and China, without a moment's notice, the uniform practice of two Republican and two Democratic Administrations was completely reversed by an opinion of Attorney-General Griggs. He held that only five classes of Chinese, mentioned in the treaty of 1894, could be admitted, and Treasury regulations were issued in pursuance of that opinion refusing admission to capitalists, bankers, physicians, lawyers, bookkeepers, salesmen, traders, clerks, keepers of restaurants, etc. It is idle to say, as has been contended, that it has been the uniform practice of our Government to restrict the right of admission to officials, merchants, teachers, students, and travelers. Now, has the Chinese Government acquiesced in the new interpretation put upon the treaties and laws by Attorney-General Griggs? I refer you to "Foreign Relations of the United States for 1899" for an answer, and I beg to call attention to a note of the Chinese minister at this capital to the Secretary of State upon this subject, dated November 7, 1898 (Foreign Relations, 1899, pages 189 to 194), especially the last part of the note. Also Minister Wu's note to the State Department of December 10, 1901.

These documents show clearly that the Chinese Government did protest at the time against the narrow interpretation of the treaties and statutes by the Attorney-General of the United States. I am informed that the Chinese Government, through its minister at Washington, has continued to protest against this narrow and forced interpretation, as is evidenced by the note addressed by the Chinese minister to Secretary Hay on this subject, bearing date December 10, 1891, which has been transmitted to Congress and printed.

Now, as long as there is a difference in interpretation of a vital point of the treaty, it seems hardly courteous to the Chinese Government to embody the disputed points in legislation in defiance of the views and opinions of that Government. We do not do that in our intercourse with England and France. Take the Clayton-Bulwer treaty, for example. Our Government has held that it is no longer in force, but as there was doubt about it, a treaty was recently concluded with Great Britain with a view to its formal abrogation.

The same may be said with respect to the Alaskan boundary dispute. If we were to act toward Great Britain in the same way as we propose to do toward China, we should occupy all the disputed territory in Alaska without any more ado and abide by the consequences. If we were to act in this way, we would probably have a war on our hands in short order. Then why should we act in this way toward China? This is a matter for diplomatic negotiation and not for Congressional action. There is a difference of opinion in the interpretation of the existing treaty provisions between the two Governments. If we insist that our interpretation is right, and act accordingly, China has good reason to complain of our arbitrary proceedings. She may be too weak to retaliate, but she is sure to cherish ill feeling against us, which will take a long time to remove.

I wish to call attention to the provision in the bill which makes it necessary for all Chinese in the United States, merchants, students, and other members of the exempt classes, to take out a certificate of registration with a photograph attached; and persons who fail to obtain such certificates are presumed to be laborers and not entitled to remain within the territory of the United States, and are liable to arrest at any moment. This will give the Chinese in this country no end of annoyance, and subjects them to arrest at the caprice of the customs and immigration officers. If this bill becomes a law, few if any self-respecting Chinamen will come to this country. I am supported in this assertion by the statement contained in a letter which was printed in the Washington Times of last Sunday, from the pen of a learned and distinguished Chinaman.

Again, the Chinese minister has recently written a letter to the State Department, dated March 22, 1902, drawing attention to the objectionable clauses of the bill, pointing out that if this bill is passed it will prevent all respectable Chinese from coming to the United States, in consequence of which the present friendly relations between the United States and China will be endangered. This letter, at the request of the Chinese minister, has been transmitted by the Secretary of State to the Senate and has been re-

ferred to the Committee on Immigration. I have also read in the papers that the Chinese Government in Peking, through Mr. Conger, our minister, has requested our Government to be reasonable and not violate treaty obligations in our new legislation with respect to the Chinese. Thus great concern is manifested by the Chinese Government and her people, and we should exercise great caution in all legislation which affects the interests of foreigners.

The recent communication from Minister Wu Ting-fang to Hon. John Hay, Secretary of State, is so important that I think I may well beg the indulgence of the Senate to read it. It will be remembered that this letter was written only two or three weeks ago.

No. 240.]

CHINESE LEGATION, Washington, March 22, 1902.

SIR: When the Chinese Government consented in 1880 to a modification of the treaty of 1868, whereby the free immigration of Chinese laborers into the United States was restricted, it was provided in the treaty that where the legislation of Congress authorized by that convention was likely to work hardship on the Chinese subjects the minister in Washington would be permitted to communicate with the Secretary of State, to the end that mutual and unqualified benefit might result.

In making use at this time of the privilege granted in the cited treaty provision, I desire not to be understood as antagonizing the just provisions of pending legislation or influencing Congressional action, but to bring to your attention, and through you to Congress, some of the hardships which will inevitably result to the subjects of China in case some of the proposed legislation should become a law. Should I remain silent until the bills now before Congress be enacted into a law, it will then be too late to remedy the evil. I trust, therefore, that what I say to you may aid the honorable Congress in making a right conclusion on the subject.

I desire especially to direct attention to the bill S. 2060, which has been reported to the Senate from the Committee on Immigration. In the concluding paragraph of the report which accompanies the bill it is said:

"There can be no doubt that under a wise, humane, and fearless enforcement of this act the importation of Chinese laborers will be prevented and the ingress of Chinese merchants and others of the exempt classes facilitated, and that the present relations between the United States and China will be strengthened thereby."

I feel it my duty to say to you, and through you to the Congress which will soon be called to act upon this bill, that if it becomes a law it will have just the contrary effect from that stated by the committee. It can not fail to seriously disturb the friendly relations which have up to the present existed between the two Governments and peoples.

I do not wish to go into the different provisions of the bill in detail, but I should like to call your attention in a general way to its effects. It restricts the privileged Chinese persons, other than laborers, to come to the United States to only five classes, viz, officials, teachers, students, merchants, and travelers, in direct contravention to the treaty of 1880, in Article I, where it states that the limitation or suspension of immigration shall apply only to laborers, "other classes not being included in the limitation." So also the history of the negotiation shows that it was the intention of the two Governments that laborers alone were to be excluded. Under the bill there would be excluded bankers, capitalists, commercial agents or brokers, and even merchants who come only to make purchases; also scholars and professors, of which there are many in China of high attainments; also physicians, clergymen, and many other classes which do not fall under the five classes exempt by the bill. The provisions of the bill as to the five exempt classes are so restrictive as to practically nullify the treaty in regard to them. The definitions as to teachers, students, and merchants are so contrary to the spirit of the treaty as to make them almost impossible of observance.

A woman married according to the Chinese custom to a person of the exempt classes would be prohibited from entering the country, because according to the provision of the bill it is necessary that the marriage shall be legal and binding by the laws of the United States.

The bill requires that all Chinese laborers now in the United States shall undergo a new registration. It will be remembered that my Government remonstrated against the first registration that was proposed under the Geary law, and only consented to it at the earnest request of the Secretary of State at the time. All the Chinese laborers submitted to that requirement and were registered, and now it is proposed to nullify all that and subject them to the annoyance and trouble of a new registration. It is an unnecessary hardship and should not be required.

The bill also contemplates the registration of all merchants and of others of the exempt class. This can not be required under the treaty, but the bill attempts to obviate that obstacle by making the failure to register a serious prejudice of their rights.

I have heretofore complained to you of the great hardships to which laborers, merchants, and others are subjected after they have been admitted to the United States and are lawfully domiciled in this country. Past experience shows that Chinese have been arrested by the wholesale, placed in jeopardy, and subjected to molestation and insult. When found innocent, no redress is obtained for such illegal arrest. Persons charged with being unlawfully in the country and taken before a court are denied the privilege of bail, but must remain in jail until their case is decided. The bill, in place of providing some relief for these hardships, rather adds restrictions thereto.

The provisions with regard to transit across the United States imposed by this bill are almost impossible to be complied with, because people who are passing through the United States en route to other countries do not know the laws of the country, and they can not understand the intricate rules and regulations made by the Commissioner-General of Immigration.

The report of the committee says that "the greatest degree of fairness and justice to the exempt classes will be insured by the provisions of the bill, which provides better means for the investigation and disposition of their claims." And again it says: "The features of the bill * * * will tend to protect the worthy immigrant in his treaty rights and privileges."

I have referred to the fact that the provisions as to the admission of the exempt classes are in direct violation of the treaty; and in addition to this the bill provides that the exempt classes must submit their right to admission to the adjudication of the Immigration Bureau, which, as I showed in my note to you of December 10, last, was a purely ex parte investigation, where the claimant was not permitted to confront the witnesses, was deprived of the privilege of counsel, and was excluded from an appeal to the courts. I can not understand how the committee can style this "the greatest degree of fairness and justice," or how the "worthy immigrant is protected in his treaty rights and privileges." It seems to me, on the contrary, that his treaty rights are taken away from him.

The provisions of the bill above referred to, and others which might be cited, place so many restrictions upon Chinese persons and require them to comply with such strict provisions that no Chinese having the least respect for himself would submit to such indignities and come to this country. I

fear the effect of the bill, if it becomes a law, will be that Chinese merchants will not come here to buy goods nor students come for educational purposes.

Another feature of the bill must be alluded to. The new possessions of the United States, such as Porto Rico, the Hawaiian Islands, the Philippines, and others which may hereafter be acquired, are subjected to its provisions. It can not be claimed that they were considered when the treaty was negotiated, and it is hardly just or in accordance with international comity that the treaty should be extended to them without the consent of China.

I have received repeated instructions from the Imperial Government, in view of the reenactment of the exclusion laws, to exert myself to see that treaty rights are observed and that no unnecessary hardships are placed upon Chinese subjects, and I feel that on account of the pendency of the legislation referred to I could not refrain from asking you to lay before the honorable Congress the views above set forth. You know that in regard to the exclusion of laborers my Government and myself have stood ready to cooperate with your Government in making the treaty prohibition effective. But with regard to the exempt classes who seek to come here for trading, educational, and other legitimate purpose, I must earnestly protest against the unwarranted and unjust provisions of the bill. In place of "insuring the greatest degree of fairness and justice," as stated by the Immigration Committee, it would impose such indignities and hardships upon these classes that few, if any, would come here. And notwithstanding the sincere wish of my Government and myself to maintain and cement closer the friendly relations between the two countries, I greatly fear that those friendly relations would be endangered by the enforcement of the act.

Accept, sir, the renewed assurance of my highest consideration.
WU TING-FANG.

Hon. JOHN HAY,
Secretary of State.

Mr. MITCHELL. May I ask to whom that communication was addressed, Mr. President?

Mr. GALLINGER. It was addressed to the Secretary of State.

Mr. MITCHELL. I ask the Senator what he thinks of the propriety of a minister of a foreign government sending a communication here and trying to influence legislation?

Mr. GALLINGER. The Secretary of State evidently thought it was proper. If anybody is to blame, it is not the minister who represents the Imperial Government of China, but it is an officer of the United States Government; and my impression is that the Chinese minister has the undoubted right to do this, and that there is a propriety in his communicating respectfully through the Secretary of State his views on this subject.

Mr. FORAKER. If the Senator from New Hampshire will allow me, I will call his attention to the fact that the letter which he has just read was written by the Chinese minister in accordance with a provision of the treaty—

Mr. GALLINGER. Certainly.

Mr. FORAKER. Which reserved to him the right to communicate to this Government at any time in regard to the operation of our laws enacted under the treaty, with a view to securing exemption from hardships to which the subjects of China might otherwise be subjected.

Mr. GALLINGER. That is precisely as I understand the matter.

Mr. FORAKER. I suggest, therefore, that there was no impropriety in the Chinese minister addressing such a communication to the Secretary of State.

Mr. GALLINGER. I have already called attention to that fact.

Mr. President, a large number of commercial bodies have petitioned the present Congress for the appointment of a commission to study industrial conditions in the Orient, and two bills are now before the Committee on Commerce looking to the appointment of such a commission, which was recommended in two messages by the late lamented President McKinley. In view of that fact, among others, my feeling is that we ought to reject the bill now under consideration and reenact the existing law. There we stand on firm ground, without running the risk of giving offense to the Chinese Government or doing violence to ourselves by abrogating solemn treaty obligations.

Mr. FAIRBANKS. Will the Senator permit me a moment?

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Indiana?

Mr. GALLINGER. Certainly.

Mr. FAIRBANKS. Does the Senator know whether the Chinese Government has protested against the restrictions of the existing law?

Mr. GALLINGER. I know, Mr. President, that the Chinese Government, through its minister, has protested against the interpretations placed upon existing law.

Mr. FAIRBANKS. Then, would the Senator think it advisable to reenact the existing law in the face of those protests?

Mr. GALLINGER. Yes, Mr. President, I would think it advisable. I choose always the lesser of two evils, and as we have got along comfortably well under the existing law I can see no earthly reason why we should now enact a law that is so much harsher in its provisions and that emphasizes to such a degree the very objections which have been raised by the Imperial Government of China.

Mr. MITCHELL. Will the Senator allow me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Oregon?

Mr. GALLINGER. Certainly.

Mr. MITCHELL. The Senator from New Hampshire perhaps is not aware that there are cases—more than one—pending in the Supreme Court of the United States, in which a question is raised to the effect that the treaty of December 8, 1894, abrogates and repeals the sixth section of the act of 1882 as amended by the act of 1884 and as extended ten years by the act of 1892? Now, suppose the Supreme Court of the United States should hold that that contention is good, and you pass a bill here simply extending the existing law, in what kind of a position would this country be left under such a decision? We should simply have no law at all on the subject of exclusion, nothing relating to the exclusion of Chinese except the treaty of 1894.

Mr. GALLINGER. Mr. President, I am not going to discuss legal questions with these distinguished lawyers.

Mr. MITCHELL. This is a very important question, bearing right on the subject.

Mr. GALLINGER. I understand that, and I will answer the Senator in my own way.

Mr. MITCHELL. All right.

Mr. GALLINGER. I will answer just as a country doctor would naturally answer a learned member of the legal profession, by saying that I am not aware of any duty that rests upon us to determine in advance what the Supreme Court of the United States is likely to decide in a pending case. I think we had better wait, and not cross the bridge until we come to it.

I will say, furthermore, to the Senator from Oregon that, if I have correctly read the existing treaty with China, we have a good deal of protection under the treaty in the very matters which are in controversy here. I do not know what the Supreme Court may do in the pending cases, but I have no doubt that the Supreme Court will do justice and will decide them according to law. What the decision of the Supreme Court will be of course is at best problematical.

Mr. SPOONER. Will the Senator allow me to interrupt him?

Mr. GALLINGER. Certainly.

Mr. SPOONER. I merely want to ask the Senator from Oregon [Mr. MITCHELL] what is the precise question involved in the cases now before the Supreme Court?

Mr. MITCHELL. The precise question, as I understand it—I know it is the precise question in one case, because I have just filed my brief in that case this morning and expect to argue it next week—the precise question in that case is whether the third article, I think it is, of the treaty of 1894 abrogates and repeals the sixth section of the act of 1882 as amended by the act of 1884, which was extended by the Geary Act of 1892 for a period of ten years.

Mr. SPOONER. That is the question for the court to decide?

Mr. MITCHELL. That is the question in that case.

Mr. GALLINGER. I have called attention to the fact, Mr. President, that before the Committee on Commerce at the present time are two bills and a mass of memorials from the commercial bodies of this country, praying us to have a commission appointed to study the commercial and industrial conditions in the Orient, and I take it for granted it is the desire of every Senator to cultivate more intimate commercial relations with China, so that we may obtain our proper share of the Chinese trade.

Again, common sense would seem to dictate that we should treat Chinese of the merchant class with special consideration. Are we doing this by enacting this bill? This is the definition of "merchant" given in the bill:

SEC. 8. That the term "merchant," used in this act, shall be construed to mean only one who is engaged in buying and selling merchandise, at a fixed place of business, and who, during the time he claims to be a merchant, does not engage in the performance of any manual labor, except such as is necessary in the conduct of his business as such merchant.

And where an application is made by a Chinese person for entry into the United States as one formerly or at the time engaged in China as a merchant, or in some other foreign country as a merchant, or where such application calls for entry into one portion of the United States from another portion thereof, then, as a prerequisite to entry, the applicant must have been engaged as a merchant for at least one year next preceding his application; and it must appear to the satisfaction of the appropriate Treasury officer at the port of entry that he comes to exercise in good faith his calling as a merchant, and that calling exclusively, and that he has the means under his immediate control for forthwith becoming, and has completed the arrangements for forthwith becoming, the owner, in whole or in part, of a good-faith mercantile business in the United States, or any portion of the territory thereof, a business strictly within the meaning given by this act to the business of a "merchant."

I need not here point out the tedious process that a Chinese merchant who desires to come to this country must go through with to obtain a proper certificate—a certificate, it must be remembered, in the English language, which he does not understand. Now, if I were a merchant and had to comply with all the requirements prescribed in this section in order to be able to land in China, I would think twice before I should take the trip. But after all the certificate is only prima facie evidence.

After obtaining it, a merchant may be refused a landing on the least technicality. Even after landing, his trouble does not end there. While in this country he is liable at any time, if I read this bill correctly, to be arrested and put in jail, just to satisfy the whims of a Treasury or an immigration officer. This is certainly a strange way of liberalizing the existing laws, as is asserted by some Senators this bill proposes.

Suppose the conditions were reversed. Would citizens of this country be willing to submit to the indignities and restrictions heaped upon Chinese merchants by this section? I think not. Such being the case, why should we annoy and molest Chinese merchants in this way? I wish to call particular attention to the provision of the bill which says that a Chinese merchant, in order to be able to come here, must have "completed the arrangements for forthwith becoming the owner in whole or in part of a good-faith mercantile business in the United States or any portion of the territory thereof, a business strictly within the meaning given by this act to the business of a merchant." Now, this will necessarily exclude a large class of persons rightly belonging to the merchant class. How about capitalists, bankers, commercial agents, and others who wish to come to this country to look over the field? All these are excluded.

The animosity of those who drew up this bill against the Chinese and the extreme harshness of many of its provisions are most apparent. As an instance let me refer to section 56, which would not permit any Chinese coming to this country for the purpose of participating in any fair or exposition. Just think of our Government having requested China to take part in the exposition to be held in St. Louis and then telling her she can not send any of her people to this country to participate in it. I am glad to find that even the Senator who is in charge of the bill is willing to have that unreasonable clause stricken out, but it shows the extreme severity and harshness of the bill as it was when reported by the committee.

Mr. President, I will not attempt to trace the connection between the exclusion policy of this country and the increase or decrease of American trade in China. For detailed information I will refer to Minister Wu's note to the State Department of December 10, 1901, pages 15 and 16.

I am of opinion that the exclusion policy of the United States does affect the trade between the two countries, but the connection between the two is such as to be incapable of measurement by exact statistics. It is an economic law that people will buy cheap and sell dear. If there is a difference in the prices of articles of the same quality offered by different parties, the buyer will take the cheapest every time, irrespective of sentiment; but when the prices are the same everywhere, here is where sentiment comes in as a deciding factor. Other things being equal, a man will buy from one who has treated him kindly rather than from one who has given him a kick. This is human nature the world over. I am of opinion that the Chinese are like other people in this respect.

Now, we all want our share of the trade with China. There is no difference of opinion in this regard. All the resources of American diplomacy have been directed to securing an open door in China for American products for the past few years, and every stump in the last campaign resounded with eloquence as Republican orators pictured the great advantages that were coming to this country because of the open door that had been secured in China. Are we now to neutralize the advantages thus gained with so much difficulty by hostile legislation? If we had no competitors in the field, it might not hurt us to treat our prospective customers with discourtesy, not to say insult; but we all know that competition in the Chinese market is keen. The English, the French, the Germans, the Russians, and the Japanese are trying to get all they can. It will not do for us to give our competitors any advantage which they may use against us.

Now, what is our share of the Chinese trade? According to the latest statistics, the total value of exports from the United States to China for 1900 was \$15,213,285, but last year, 1901, this total was reduced to \$10,287,302. Now, what is the proportion of this trade to the whole trade of China? The total value of all the articles imported into China in 1900 was \$148,383,000, and I have not the figures for 1901, but there is no doubt that there is an increase. Judging from those figures, in 1900 our share was less than 10 per cent of the total trade of China, and last year our share was very much less than that, even if we take the same figures of total imports for 1901 as we do for 1900.

Now, are we satisfied with this showing? On the other hand, we find the value of merchandise imported from Germany to China increased from 35,412,000 marks in 1885 to 50,647,000 marks in 1899, and this increase was steady, with the exception of the year 1897. And the increase of trade between Japan and China is even more remarkable. Japan in 1896 sold 13,828,844 yens to China of merchandise; in 1897, 21,325,065 yens; in 1898, 29,193,175 yens; in 1899, 40,257,034 yens, and in 1900, the Boxer year, 31,871,576 yens.

These figures show that the trade between Japan and China is increasing at a tremendous rate. Manifestly, we must be up and doing if we want to have our proportionate share of China's trade. With all the advantages, both natural and geographical, in our favor, we ought to make a better showing. Having now transformed the Pacific Ocean into an American sea, we ought not to impair our chances by unwise action on our part.

The industrial development of our country renders it imperative that we should look to China for a market for our surplus products. Take the cotton industry, for example. China is now our best customer. In 1899 China took \$9,823,253 worth of cotton goods from us. This was just before the Boxer trouble. The total value of exports of cotton by the United States in that year was \$23,566,914. This shows that China consumed that year about 40 per cent of the total exports of cotton goods of the United States. All Europe took only \$1,484,363; British North America took \$2,759,164; all Africa took \$516,193; all South America, \$2,513,957. Now, this shows that the demand of China for our goods is instrumental in building up our cotton industry, especially in the South.

I was surprised the other day to hear a Senator from a Southern State, a State that is having a magnificent development in cotton manufacturing, speak in favor of this bill, although he did say he should support it with great reluctance. I should think he would. On account of the disturbed condition of China at the time of the Boxer trouble the demand for cotton goods suddenly fell to \$4,620,998 in 1901, and many cotton mills in the South had to shut down in consequence. I will let Mr. John Fowler, American consul at Chefoo, tell the story.

Mr. President, I ask unanimous consent to have inserted as a part of my remarks Advance Sheets of Consular Reports, dated March 19, 1901, which discuss this question.

The PRESIDING OFFICER (Mr. LODGE in the chair). Without objection, it will be so ordered.

The reports referred to are as follows:

[Advance Sheets of Consular Reports, March 19, 1901.]

EFFECT OF BOXER TROUBLE ON UNITED STATES TRADE.

The uprising in North China broke out, as is well known, in the month of June, 1900; the press of the entire world has since that time been full of accounts of the events that transpired in this section. They have treated nearly every phase of this subject, and, while we know how our countrymen suffered in North China, I have not seen any statistics published showing the loss involved to merchants in the United States; and believing that such statistics, taken from the Chinese customs returns, will prove of interest I submit the following as showing—

WHAT THE BOXERS COST THE AMERICAN EXPORTER.

To do this fairly it will be necessary to adhere to the Chinese values, where given, instead of the gold values, which are not the same for the periods under review, and I am compelled to include the months of April and May (which were unusually prosperous), as the returns are published by quarters and do not show the trade by months.

CHEFOO.

Imports of merchandise specially termed American for the quarter ended June 30, 1900, and same period of 1899.

Articles.	1899.	1900.	Increase.
Drills	30,474	33,098	2,624
Jeans	3,440	3,800	360
Sheetings	140,305	178,230	37,925
Flour	86,650	193,994	107,344
Oil, kerosene	994,040	2,214,980	1,220,940

The above shows enormous increases in the classes termed American, and I am aware that all other lines of imports from the United States showed the same prosperity. These figures are all the more remarkable when it is borne in mind that while covering a full quarter they actually represent the imports for two months and ten days—i. e., to June 10. After the 15th of June the imports ceased, all commercial transactions being absolutely nil. For a clearer understanding the returns for the following full quarter are given:

Imports of merchandise specified as American for the quarter ended September 30, 1900, and the same period of 1899.

Articles.	1899.	1900.	Decrease.
Drills	46,810	3,714	43,096
Jeans	2,760	200	2,560
Sheetings	134,530	22,515	112,015
Flour	153,275	19,225	139,050
Oil, kerosene	857,100	5,000	852,100

Of course, all other lines fell off likewise, and yet Chefoo and the interior saw no armed hordes, no military movements, and, as compared with the immediate northern ports, was peaceful. As a matter of fact, Chefoo was the base for communication with the allies and the world, while Shantung was comparatively quiet, owing entirely to the friendly stand taken by the governor, Yuan Shi Kai; yet there were more riots and tumults in my district than ever known before, and the various American mission losses will probably total \$150,000 gold. But the idea of this summary is not to show what America lost in China, but what Americans lost in America through the Boxers in China.

TIENTSIN.

Imports of merchandise specified as American for the quarter ended June 30, 1900, and the same period of 1899.

Articles.	1899.	1900.	Increase.	De-crease.
Drills.....pieces..	239,869	73,320	-----	166,549
Jeans.....do.....	22,445	10,470	-----	11,975
Sheetings.....do.....	957,115	475,065	-----	482,050
Oil, kerosene.....gallons..	585,000	713,600	128,600	-----

It will be seen by the above that the effects of the Boxer movement were felt much earlier and more seriously in Tientsin than in Chefoo. During the month of June Tientsin was practically closed to the world; yet it is odd to notice that oil showed a gain, especially when it is known that the Boxers boycotted that commodity first of all things foreign. I know of ships loaded with Oregon lumber that reached Taku and were unable to land their cargoes, thus entailing an enormous loss upon the American lumber trade. One American firm paid through this office over \$5,000 gold on demurrages alone on this account, besides losing the sale of the lumber destined for Tientsin.

Imports of merchandise specified as American for the quarter ended September 30, 1900, and the same period of 1899.

Articles.	1899.	1900.	De-crease.
Drills.....pieces..	176,340	16,875	159,465
Jeans.....do.....	20,170	3,140	17,030
Sheetings.....do.....	398,285	58,655	339,630
Oil, kerosene.....gallons..	588,000	20,000	568,000

This is almost annihilation, and at what is usually the busiest time of the year for our trade. Tientsin is the port for Pekin, all Chihli, etc., and it is not necessary in this summary to remind our people of the strife enacted therein during this period.

NIUCHWANG.

Imports of merchandise specially termed American for the quarter ended June 30, 1900, and the same period of 1899.

Articles.	1899.	1900.	De-crease.
Drills.....pieces..	234,235	112,980	121,255
Sheetings.....do.....	554,885	399,340	155,045
Oil, kerosene.....gallons..	790,000	616,000	144,000

It is to be noted that Chefoo has five classes specified as American, of which all show gains. Tientsin has four classes, of which only one shows a gain, while Niuchwang has only three, and all show a heavy loss for the June quarter.

Imports specified as American for the quarter ended September 30, 1900, and the same period of 1899.

Articles.	1899.	1900.	De-crease.
Drills.....pieces..	148,022	-----	148,022
Sheetings.....do.....	306,665	620	306,045
Oil, kerosene.....gallons..	653,000	25,000	638,000

This is annihilation pure and simple, and yet Niuchwang saw less fighting than Tientsin; and the only foreign power that interfered there was Russia. That Government seized the port as early as August 4, and on the 12th had control of the custom-house.

KYAO-CHAU.

The custom-house at Tsintau, German colony in Shantung—or, as the customs term it, Kyao-chau—was opened for business July 1, 1899; therefore, no comparison can be made for the June quarter of 1899, and the imports for 1900 are too insignificant to mention.

RESUME—NORTH CHINA.

Imports specified as American into the three northern ports of Chefoo, Tientsin, and Niuchwang for the quarter ended June 30, 1900, and same period of 1899.

Articles.	1899.	1900.	Increase.	De-crease.
Drills.....pieces..	504,578	219,398	-----	285,180
Jeans.....do.....	25,885	14,270	-----	11,615
Sheetings.....do.....	1,651,805	1,052,635	-----	599,170
Flour.....haikwan tael..	86,650	193,994	107,344	-----
Oil, kerosene.....gallons..	2,339,040	3,544,530	1,205,490	-----

* Chefoo only; not specified elsewhere.

^b Due to gains at Chefoo.

Thus in this quarter, in spite of the large gains credited to Chefoo, the northern imports declined more than half from those of the same period of 1899.

Merchandise specified as American imported into the ports of Chefoo, Tientsin, and Niuchwang during the quarter ended September 30, 1900, and the same period of 1899.

Articles.	1899.	1900.	De-crease.
Drills.....pieces..	871,172	20,589	850,583
Jeans.....do.....	22,930	3,340	19,590
Sheetings.....do.....	839,480	81,780	757,690
Flour.....haikwan tael..	153,275	19,225	139,050
Oil, kerosene.....gallons..	2,053,100	50,000	2,003,100

The above gives a good idea of what a mob in China can do in interfering with trade. The greatest loss is, of course, in cotton piece goods, and this cessation of imports must have been most keenly felt in the Southern States. Probably no country in the world suffered as much as did the United States, for the scene of strife covered practically our field of trade.

These tables do not by any means show our losses. They only serve to show the losses in a few specified lines.

Imports of merchandise into the ports of Chefoo, Tientsin, and Niuchwang during the quarter ended September 30, 1900, and same period of 1899.

Articles.	1899.	1900.	Increase.	De-crease.
Opium.....piculs*	1,000	157	-----	843
Shirtings.....pieces..	630,304	72,697	-----	557,607
T cloths.....do.....	133,178	3,318	-----	129,860
Indian.....do.....	500	-----	-----	500
Japanese.....do.....	21,368	-----	-----	21,368
Drills:				
English.....do.....	5,415	1,080	-----	4,335
Dutch.....do.....	4,320	200	-----	4,120
American.....do.....	371,172	20,589	-----	350,583
Jeans:				
English.....do.....	5,590	1,210	-----	4,380
Dutch.....do.....	5,310	1,000	-----	4,310
American.....do.....	22,930	3,340	-----	19,590
Sheetings:				
English.....do.....	12,466	3,517	-----	11,949
Indian.....do.....	4,950	-----	-----	4,950
American.....do.....	839,480	81,780	-----	757,690
Chintzes.....do.....	62,249	21,340	-----	41,909
Twills.....do.....	1,695	1,162	-----	533
Turkey red.....do.....	30,608	1,804	-----	28,804
Cotton lastings.....do.....	102,749	13,534	-----	89,215
Velvets and velveteens.....do.....	1,296	-----	-----	1,296
Muslin and lawn.....do.....	2,367	238	-----	2,129
Handkerchiefs.....dozen..	26,454	12,279	-----	14,175
Towels.....do.....	148,204	13,652	-----	134,552
Cottonades.....pieces..	2,277	400	-----	1,877
Mahomedans.....do.....	80	-----	-----	80
Cotton:				
Spanish stripes.....do.....	4,738	408	-----	4,330
Flannel.....do.....	5,450	878	-----	4,572
Yarn:				
English.....do.....	2,198	360	-----	1,838
Indian.....do.....	37,142	5,670	-----	31,472
Japanese.....do.....	122,294	5,714	-----	116,580
Shanghai.....do.....	10,323	2,992	-----	7,331
Native cotton goods:				
Drills.....do.....	150	450	300	-----
Sheetings.....do.....	21,800	-----	-----	21,800
Woolen goods:				
Camlets, English.....do.....	980	120	-----	860
Lastings.....do.....	5,260	240	-----	5,020
Long elis.....do.....	2,820	200	-----	2,620
Spanish stripes.....do.....	1,122	108	-----	1,014
Broadcloth.....do.....	246	-----	-----	246
Russian cloth.....do.....	180	-----	-----	180
Italian cloth.....do.....	1,681	-----	-----	1,681
Metals:				
Iron—				
Nail rods.....piculs*	17,334	2,205	-----	15,129
Bar.....do.....	8,108	44	-----	7,667
Wire.....do.....	466	-----	-----	466
Old.....do.....	117,680	9,236	-----	108,450
Tin.....do.....	249	72	-----	177
Lead in pigs.....do.....	7,327	463	-----	6,864
Copper.....do.....	979	1	-----	978
Steel.....do.....	5,801	1,909	-----	3,892
Inkstone.....do.....	34	-----	-----	34
White metal.....do.....	83	-----	-----	83
Sundries:				
Buttons, brass.....gross..	33,145	4,000	-----	29,145
Coal.....tons.....	5,933	13,847	7,914	-----
Cotton, raw.....pieces..	15,718	74	-----	15,644
Dyes, aniline.....haikwan tael..	166,663	6,799	-----	159,864
Flour, American.....do.....	153,275	19,225	-----	139,050
Glass, window.....boxes..	7,021	1,440	-----	5,581
Matches.....gross.....	1,063,999	245,393	-----	818,606
Needles.....mille.....	436,325	18,000	-----	418,325
Oil, kerosene:				
American.....gallons..	2,053,100	50,000	-----	2,003,100
Russian.....do.....	1,581,000	15,000	-----	1,566,000

* 1 picul=133½ pounds.

^b All at Chefoo for war ships, transports, etc.

From the above list I have excluded native sundries; for instance, Kaiping coal all comes from Tientsin and rice from Canton and Chinkiang; and, although I have set forth the figures in strict accordance with the customs returns, nevertheless they do not give an accurate idea of the trade.

SHIPPING.

The number of ships that entered the northern ports for the quarter ended September 30, 1899, was:

Port.	1899.*	1900.	De-crease.
Niuchwang.....	196	75	121
Tientsin.....	(*)	(*)	(*)
Chefoo.....	522	282	440

* No record.

REVENUE.
Revenue for September quarter (total collection).

Port.	1899.	1900.	Decrease.
	<i>Hk. taels.</i>	<i>Hk. taels.</i>	<i>Hk. taels.</i>
Niuchwang	278,912	90,259	188,653
Tientsin	345,209	60,081	285,128
Chefoo	185,187	88,166	97,021
Total	809,308	238,506	570,802

The total collection of duties for all China during the quarter ended September 30, 1900, was 5,163,795 haikwan taels, while for the same quarter of 1899 it was 7,623,386 haikwan taels, a loss of 2,459,591 haikwan taels. This loss is for only one quarter.

The foregoing statistics are compiled from the returns for the quarters ended June 30 and September 30, 1900, issued by the foreign customs of China.

UNITED STATES STATISTICS.

An examination of the returns issued by the United States Treasury Department reveals the following:

<i>Value of exports from United States to Chinese Empire for first ten months of 1899 and 1900.</i>	
1899	\$12,628,955
1900	10,442,811

Loss 2,186,144

This does not show what we really lost, for there are immense quantities of merchandise in the ports to be worked off before importations can recommence. The year 1900 began with the greatest increase in our trade ever known and ended with the most serious losses.

The losses to the cotton trade alone I estimate at over \$3,000,000.

For the five months of 1900 before the outbreak our trade had increased (net) \$684,216 over that for the five months of 1899.

For the five months from June to October there was a net loss of \$2,865,043. The Treasury statistics, it should be remembered, do not embrace all of our trade with China, as large quantities of merchandise are sent into China from the United States via Japan, Hongkong, London, etc.

As nearly all the cotton piece goods from the United States are for the northern trade, I extract the following from the Treasury statistics to show how this trade was affected:

Value, by months, of the exports to China of cotton piece goods.

Month.	1899.	1900.	Increase.	Decrease.
January	\$855,528	\$820,217		\$35,311
February	1,047,275	702,406		344,869
March	982,722	1,172,152	\$189,430	
April	564,457	308,262		256,195
May	626,964	418,123		208,841
June	1,568,725	554,188		1,014,537
July	728,721	859,500	130,779	
August	598,880	103,520		495,360
September	609,013			609,013
October	772,834	25,375		747,459
Total	8,414,649	5,053,743		3,360,906

The following statement may also be found of interest:

Deliveries of cotton and woolen piece goods from Shanghai to Ningpo and Vladivostok in 1900 and 1899.

Goods.	Ningpo.		Vladivostok.	
	1900.	1899.	1900.	1899.
Gray shirtings.....pieces..	413,330	477,281	114,755	89,725
T cloths:				
32 inches.....do.....	38,670	52,181		
36 inches.....do.....	24,061	29,180		
32 and 36 inches.....do.....			15,965	26,731
Indian, 32 and 36 inches.....do.....	2,729	1,430	100	80
White shirtings.....do.....	114,829	110,662	92,335	68,553
Drills:				
English and Dutch.....do.....	4,080	6,945	79,656	74,564
American.....do.....	26,500	28,536	19,245	16,840
Sheetings:				
English.....do.....	8,368	9,630	57,787	65,117
Indian.....do.....	60	180		1,000
American.....do.....	49,785	50,960	7,120	22,355
Printed cottons.....do.....	13,663	20,830	7,049	4,783
Cotton yarn:				
Indian.....piculs..	2,684	2,501	15	93
English.....do.....	309	276	9	
Japan.....do.....	3,427	2,448		
Shanghai.....do.....	2,293	1,539		
Spanish stripes, woolen.....pieces..	1,880	2,166		6
Medium and broad cloths.....do.....	690	1,008	170	190
Camlets.....do.....	3,000	2,800	30	140
Long ells.....do.....	780	910	495	790
Lastings.....do.....	1,280	1,440	780	543
Italian cloth.....do.....	3,289	5,011	822	3,153
Cotton lastings and Italians.....do.....	47,842	40,690	19,819	28,859

CHEFOO, February 3, 1901.

JOHN FOWLER, Consul.

EXPORT TRADE FROM TIENTSIN.

The export returns herewith submitted give striking evidences of how Tientsin and north China have suffered in consequence of the uprising. The enormous discrepancies between the figures for the present and for last year

tell a tale of loss to the producer as well as to the merchant that is startling. In the item of dogskins, it will be noticed that 1,284 were exported this year against 18,837 last year, while in bristles, sheepskin clothing, and many other articles the falling off is equally noticeable. Nor is the outlook for the year 1901 favorable for large shipments. The country north of Tientsin, where the principal articles of export are produced, is now overrun with ex-Boxers and exsoldiers who have turned bandits, and it will be exceedingly difficult for merchants to get goods out of or into the interior.

Principal articles of export for the years 1899 and 1900.

Articles.	1899.		1900.	
	<i>Piculs.</i>	<i>Pounds.</i>	<i>Piculs.</i>	<i>Pounds.</i>
Bristles.....	13,899	1,853,200	8,077	1,076,933
Feathers, duck.....	1,516	202,133	1,006	134,133
Hair, horse.....	8,461	1,128,133	2,504	333,866
Jute.....	19,678	2,623,733	2,290	301,333
Straw braid.....	25,160	3,354,666	20,122	2,682,933
Wool:				
Camel.....	40,923	5,456,400	16,988	2,265,066
Goat.....	4,832	644,266	2,510	334,666
Sheep.....	217,871	29,049,466	108,965	14,528,666
Rugs, dogskin.....	18,837		1,284	
Goatskins.....	741,311		173,111	
Sheepskins.....	129,872		5,121	
Dogskin clothing.....	16,968		6,700	
Kid-skin clothing.....	79,799		22,831	
Lambskin clothing.....	71,614		32,568	
Sheepskin clothing.....	114,613		9,481	
Untanned goatskins.....	2,627,870		932,067	
Untanned lambskins.....	606,247		242,540	

Exports to the United States for the years 1899, 1900, and 1901.

Articles.	1899.		1900.	
	<i>Taels.*</i>	<i>Taels.*</i>	<i>Taels.*</i>	<i>Taels.*</i>
Bristles.....	129,090.28	\$85,289	184,503.23	\$126,569
Carpets.....	2,736.77	1,809	4,918.57	3,374
Curios, embroideries, porcelain, etc.....	3,555.21	2,550	39,571.95	27,146
Hides, cow.....	5,614.13	3,711	1,472.06	1,010
Intestines, sheep.....	13,367.95	12,141	9,755.41	6,692
Miscellaneous.....	6,712.78	4,437	2,046.92	1,404
Personal effects.....			1,611.36	1,105
Skins:				
Sheep.....	7,226.51	4,777	42,079.69	28,867
Goat.....				
Untanned.....	35,757.21	23,636	253,497.19	173,899
Dressed.....	46,882.85	30,990	271,368.16	186,159
Tiger and leopard.....			2,857.66	1,960
Straw braid.....	283,782.52	187,580	225,926.20	154,985
Wool, sheep.....	1,143,565.25	755,916	1,845,623.33	1,268,098

*The Tientsin tael in 1898 was valued at 66.1 cents; in 1899, 68.62 cents; in 1900, 68.67 cents.

IMPORTS.

I am unable to give any reliable import statistics. Outside of supplies imported for the armies (not accounted for in the customs records), the same ratio of loss appears as given in the export returns. The cotton and woolen industries have suffered heavily.

The supplies furnished the United States troops have attracted the notice and envy of all other nationalities, including the merchant as well as the soldier—an advertisement that could not well have been procured in any other manner.

JAMES W. RAGSDALE, Consul.

TIENTSIN, January 3, 1901.

Mr. GALLINGER. Mr. President, on account of the contraction of the foreign market for the products of Southern mills the goods were thrown on the domestic market with disastrous consequence. The cotton mills of New England, which up to that time had supplied the domestic market, also suffered severely. Although we have wrested the cotton market from England, Japan and Germany are ready to take it away from us. Ought we not to do everything in our power to retain it, and refrain from offering a gratuitous insult to our best customer by enacting this hostile legislation? The question of possible retaliation by China and her people should also be remembered. There are already rumors to that effect, the Chinese merchants and others in this country, it is understood, having recently urged the Chinese Government to take measures to retaliate in case of unduly severe and harsh laws in violation of treaty provisions. Although we need not pay undue heed to such rumors, and we should do what we think is our duty to our own people, yet we should not give unnecessary offense to a friendly nation with whom we wish to continue to trade.

As I have before said, the reenactment of the present law answers what is required, and this bill, for the reasons that I have given, ought not to be passed.

Since the Senator from Oregon in his speech on this subject—and it was a very able and exhaustive one—referred to Minister Wu's address, delivered at the International Commercial Congress in Philadelphia in 1899, concerning our trade with China, it is but fair to give the whole address, instead of cutting out two

or three paragraphs in it, and, by the courtesy of the Senate, I will append the minister's address herewith as a part of my speech. It will show that he apprehends that our trade with China may be retarded by unwise methods and hostile legislation.

The address referred to is as follows:

MR. CHAIRMAN, LADIES, AND GENTLEMEN: We are assembled here to-day to discuss matters affecting international commerce—to enter into a general discussion respecting the world's trade—with a view to its development for the benefit of all nations. China gladly takes part in this congress, and she has accordingly sent two delegates to represent her in this body. It is a well-known fact that China's trade and commerce with foreign nations has been and is increasing every year. This is especially the case with the United States. Since the opening of my country to foreign commerce, fifty years ago, her trade with the United States has been steadily increasing. To go no further back than the year 1801, I find in the trade returns of the imperial maritime customs for that year the exports of the United States to China amounted, in round numbers, to 7,700,000 taels, and the imports from China to 9,000,000 taels.

The volume of trade has increased rapidly every year, and it reached the following figures last year: Exports from the United States to China, 17,163,312 taels, and imports from China, 11,936,771 taels, with a total of 29,100,083 taels. It is a significant fact that for many years the value of your exports to China was less than your imports, but last year it was the other way. Your exports exceeded your imports by over 5,000,000 taels. Thus it indicates clearly that your export trade has been and is increasing immensely. I have taken these figures, as I say, from the customs returns; but, according to the United States consul at Chefoo, Mr. Fowler, who seems to have taken great pains in going over the figures, the United States trade with China is underestimated by one-third, because the customs method of reckoning is to credit the ship with the merchandise she carries; so a steamer, say, flying the British flag and carrying a large quantity of American goods, the goods so imported will be put down as British and not American.

Thus, according to Mr. Fowler, your trade with China last year was 40,000,000 taels. Gratifying as these figures are, they will not stop there, but will continue to advance every year. Now that the United States has practically become our neighbor by its recent acquisition of the Philippine Islands, the prospect is brighter than ever, and I should not be surprised if, under favorable conditions and not retarded by unwise methods, the trade will be doubled or trebled in a few years. I say, if not retarded by unwise methods. Let me give you an illustration. Mr. Wildman, the United States consul-general at Hongkong, used these significant sentences in his report of November 22, 1893, after having studied the question thoroughly: "Broadly speaking, there is not an industry in the islands (Philippines) that will not be ruined if Chinese labor is not permitted." And again, in his report of July 1 last, speaking of the establishment of cotton mills in Hongkong, which is looked upon as a remunerative undertaking, he says: "The only thing that the promoters of this English industry fear is that mills will be established in Manila, which would only be possible if Chinese labor were admitted freely."

This opinion of your consul, who has been many years in the East, and whose business is to protect the interests of his countrymen, is universally confirmed by all other competent judges in the matter. It is therefore manifestly to your interest that Chinese immigration to the Philippines should be as free as possible. In settling upon a policy of such vital importance, affecting the welfare and prosperity of your newly-acquired possessions, it is well to study the course pursued by another great power in its colonies adjacent, whose conditions are very much similar. Take the case of Hongkong. It was but a barren rock on the Chinese coast. But since its occupation by Great Britain, every inducement has been given to the Chinese to come and settle there. Now it has become a great center of trade, as fair a city as can be found under the tropical sun, a genuine pearl of great price, and the pride of the British Empire.

It is the Chinese that have contributed so largely to the prosperity of that British colony. Then again, consider the Straits Settlements, which are not so near to China as the Philippines. There the Chinese form a large proportion of the population. Their presence has been deemed desirable, and no restriction is placed upon their admission. The English people are well known to be shrewd and good colonizers, and if Chinese immigration were objectionable, they would have stopped it long ago. But instead of doing that, they have held out every inducement to Chinese to come to their colonies, because they know by experience that Chinese are useful to them. It is not for me to say what policy should be adopted by the American Government for the Philippine Islands, but apart from other considerations, and looking solely to the interests of the archipelago, it would seem to be a suicidal policy, from a statesman's point of view, to prohibit the entrance of Chinese labor into those islands.

While upon this subject I feel compelled to refer to the status of my countrymen in this country. Although from fear of undue competition with American labor, it was thought expedient seventeen years ago to enact a law to prohibit the coming of Chinese laborers to this country, subsequent legislation on this subject has gone so far as to interfere with the coming of other classes of Chinese as well. It has been held by the highest legal authority in this country "that the result of the whole body of these laws and decisions thereon is to determine that the true theory is not that all Chinese persons may enter this country who are not forbidden, but that only those who are entitled to enter are expressly allowed." In consequence of this opinion, all collectors of customs and inspectors in this country and in the Hawaiian Islands have been instructed to refuse admission to persons described as salesmen, clerks, buyers, cashiers, physicians, proprietors of restaurants, etc. My attention was called the other day to the case of three Chinese clergymen who were not allowed to land. The legal functionary stated his decision thus: "I am of the opinion that ministers, preachers, and missionaries, as well as doctors, lawyers, etc., are not of the exempt class."

Therefore should His Excellency Li Hung Chang come to New York as a private individual he would not be allowed to land. Fortunately, I came to this country before this opinion was rendered, otherwise I should have been excluded, and I must abandon any intention I may have of coming to the United States in the future as a Confucian missionary because I shall be turned back. It must not be inferred that in this matter I throw any blame on the officials charged with the carrying out of the Chinese-exclusion laws. They are simply doing their duty. And here I would acknowledge the uniform courtesy and kindly feeling shown me by all the officials, high and low, with whom I have come in contact. I simply point out that under the existing laws and regulations, my countrymen are singled out as the only people who are not permitted (except a very few under certain strict conditions) to come to the United States and its colonial possessions, while the subjects and citizens of all other nations, of whatever color or race, including Japanese, Malays, Siamese, and other Asiatics, and Africans, and even savages, are at liberty to enter freely. Persons are generally disliked on account of their indolence, immorality, and other bad qualities, but I believe this is the first instance in the history of the world that a people are considered as undesirable and excluded from a country because of their industry, perse-

verance, honesty, and other good qualities. China does not make such invidious distinctions.

What is open to one nation is open to all nations. All are equally welcome. So far from taking any retaliatory measure, she is still holding the most friendly and cordial relations with the United States, and I hope and trust these relations will long continue. And referring to the discussions to-day about open door, China is for open door; she opens her doors; her doors are wide open to you all without distinction of race and color and of any nation at all; all are welcome equally. In view of the certain increase of this vast trade and commerce between China and the United States, and in view of the unrivaled opportunities China offers to American capital and enterprise, the question naturally arises whether it is worth while to keep in your statute book a discriminating law against a people with whom it is to your interest to keep and maintain relations of the most friendly nature. This is a question for the merchants, manufacturers, capitalists, and laborers of this country to decide, and I am sure they will decide rightly and fairly when the facts are laid before them. I do not fear that even American laborers will offer any opposition, because being intelligent men and men of commonsense they will understand that increase of trade means, of necessity, increase of employment and work, hence prosperity for them.

With the view of expanding the trade between China and the United States, it has occurred to me that the establishment of an institution on lines somewhat similar to those laid down for the Philadelphia Commercial Museum, at some Chinese seaport, say Shanghai, would be an excellent thing. Manufacturers could then send samples of their goods there on exhibition, so that the natives could see what America has to sell in the way of manufactures and agricultural products. On the other hand, the products of Chinese factory and soil might also be placed on exhibition in the same building. A permanent exposition of this kind would certainly result in lasting benefit to both sides. I notice that a similar scheme has been proposed by the United States consul-general at Shanghai and Hongkong, and I take great pleasure in recommending such a scheme to the favorable consideration of the manufacturers and merchants of this country.

I am exceedingly glad that I have been able to be present at some of the sessions of this congress. This is an era of conferences and international conferences. We have seen the Social Congress, the Medical Congress, the Women's Congress, the Mothers' Congress, the Congress of Demography and Hygiene, the Disarmament Congress, etc., that have been held in different countries. Now we have this International Commercial Congress. Great credit is due to Dr. Wilson and his associates for getting up this congress, and I am sure I am expressing the sentiment of all of us that we are grateful to them for inviting us to take part in it. This congress, in my opinion, can not fail to do good to the world at large. It has brought together the representative men from different countries and afforded them an opportunity to propose and express their views from the standpoint of their respective countries, and at the same time ascertain the views of other nations and States.

Anticipate that the results of this congress will be far-reaching. When the representatives of the different nations report to their respective governments and chambers of commerce the things they have seen, the people they have met and talked with, and the impressions they have formed from personal contact and investigation, a better understanding will naturally be established between nations and peoples, leading to closer friendship and to the increase of trade and commerce. My earnest hope is that in our deliberations here we shall rise to that higher plane which enables us to see our way to contribute as much as possible to the common good of the world, while not giving up the national interests of each. I pray that the efforts of these good men in getting up this congress will be crowned with great success, and its beneficial results will be permanent. [Prolonged applause.]

MR. GALLINGER. Is there any necessity for our arousing the ill feeling of the Chinese in the United States and the Chinese Government? If there were an absolute necessity for it, I should not much care what legislation was passed here, for I am for America against the world. Yet I should then hope that the Congress of the United States would not, even under stress of circumstances so far as our own people are concerned, waive lightly aside obligations that we are under to other nations because of solemn treaties into which we have entered with them.

Admitting, Mr. President, that there are now and then frauds committed by laborers who personate themselves as merchants, students, or others of the exempt classes, as has been charged in this debate, is that a sufficient ground for enacting unduly harsh measures, which not only interfere with the coming to this country of the respectable classes of Chinese, but encroach on the privileges guaranteed to these classes by treaty. Shall we be justified, under the cloak of preventing frauds by a few laborers, in practically stopping all respectable classes of Chinese from coming here? Would we be justified in stopping all people from going out at night because thefts are committed under the cover of darkness? There is as much argument in this as there is for enacting some of the provisions of this bill. The present law seems to be adequate, and has proved effective, as the census reports show.

I find that the Chinese population of the United States, according to the census reports of 1890, were 107,488, and in 1900 the number had been reduced to 89,863.

Mr. President, as I have listened to some of the speeches in this Chamber on the pending bill, I have wondered if it could be possible that the Senators were so frightened because 89,000 Chinese have habitation in a nation of 80,000,000 people. There are 89,863 Chinese in the United States, according to the census reports of 1900. So there has been a decrease of 17,625 in this country during the last decade, which shows that the existing law is effective in keeping out the Chinese from our territory. In 1890 there were 72,472 Chinese in California, while in 1900 there were only 45,753, a decrease of nearly 40 per cent in a single decade.

They are being blotted out rapidly, and if the decrease continues for twenty-five years a Chinaman will be as scarce in California as an angel's visit is, and yet the Senators from the Pacific coast lift up their hands in holy horror and declare that the best

interests of this Government demand that we shall enact this harsh and unnecessarily restrictive legislation.

What necessity is there for it, I will ask, and I ask it with more emphasis than I otherwise would from the fact that I believe it will arouse alarm among the Chinese who are properly in this country and create ill-feeling against us in the Chinese Empire.

Mr. President, while I sympathize with every well-directed effort to protect labor from foreign competition, I do not see that there is any real necessity for this rigid legislation. The danger has been greatly magnified. If we are really sincere in our professions of friendship and good will to China and do not wish to violate our treaty provisions, why should we proceed to enact such drastic measures in defiance of the protest of China? Of course we have a perfect right to legislate as we think proper, but while we are professing sincere friendship for China and want her to keep her doors open to us and give us a share of her trade, is it proper to place obstacles in the way of her merchants, buyers, and other respectable Chinese from coming here for the purpose of trade, or education, or travel? In these days of international intercourse a strong and powerful nation should not do anything, either by legislation or otherwise, to annoy a people of a friendly nation who may be weak and unable to retaliate.

I want now to briefly advert to some of the so-called "testimony" that was taken by the committee, none of which was, properly speaking, testimony, but rather unsworn statements by gentlemen representing both sides of the controversy.

The Senator from Indiana quoted at length from the statement of James R. Dunn, chief of the Chinese bureau in San Francisco. That gentleman made an attack on the Pacific Mail Steamship Company, saying that he had information that that company had systematically violated the Chinese-exclusion law. He did not give the name of his informant, so that Mr. Dunn's unsupported statement is all we have on that point. On the other hand, the officers of the Pacific Mail Steamship Company absolutely and unqualifiedly deny the truth of the charge, and yet Mr. Dunn's statement has been made to do service in this debate as though it were a matter of the greatest possible consequence.

Mr. FAIRBANKS. May I interrupt the Senator from New Hampshire?

Mr. GALLINGER. Certainly.

Mr. FAIRBANKS. In order to get accurate information, I will ask the Senator if he will indicate where in the record the denial is to be found, if it is to be found there.

Mr. GALLINGER. What denial?

Mr. FAIRBANKS. The denial of the steamship company.

Mr. GALLINGER. I will say to the Senator that I have it personally from some of the officers of the steamship company, and I give it on my own personal responsibility.

Mr. FAIRBANKS. I did not know but that there was a denial somewhere else.

Mr. GALLINGER. The junior Senator from Vermont [Mr. DILLINGHAM] made the denial very pointedly the other day in this Chamber.

Mr. DILLINGHAM. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Vermont?

Mr. GALLINGER. Certainly.

Mr. DILLINGHAM. I have in my hand the affidavit of Mr. Schwerin, vice president and general manager of the Pacific Mail Steamship Company, in which he denies the truth of the statement.

Mr. GALLINGER. Is the Senator willing to have it inserted as a part of my remarks?

Mr. DILLINGHAM. Certainly.

Mr. GALLINGER. I ask unanimous consent that it may be inserted as a part of my remarks.

Mr. DILLINGHAM. It was handed to me.

Mr. FAIRBANKS. I wish the Senator would permit me to interrupt him a little further.

Mr. GALLINGER. Certainly.

Mr. FAIRBANKS. I simply desire to state that the statement of Mr. Dunn was made some weeks ago, and it was printed and published in the published hearings of the Committee on Immigration, and until the junior Senator from Vermont challenged the statement a day or so ago it has gone unquestioned. The steamship company was represented before the committee by counsel, very able and eminent counsel, and the statement made there by Mr. Dunn was not challenged by him or any officer of the company.

Mr. GALLINGER. That may be so. Mr. Dunn did not swear to what he said. Mr. Schwerin, who is a very reputable man, says, under oath:

CITY OF WASHINGTON, District of Columbia, ss:

R. P. Schwerin, being duly sworn, deposes and says:

I am now and have been for eight years last past vice-president and general manager of the Pacific Mail Steamship Company, and my office has been in San Francisco, Cal. Prior to becoming the vice-president and general

manager of the Pacific Mail Steamship Company I was lieutenant in the Navy of the United States, and had been in the naval service from 1874 until 1892.

I have had called to my attention a statement made by James R. Dunn, on page 316 of the testimony before the Senate Committee on Immigration, as follows:

"I am informed upon absolutely credible authority (here I will state that I will give to the chairman of this committee, if desired, the name of my informant, which, however, I will not divulge in this public meeting), that a prominent San Franciscan, personally favorable to the admission of Chinese, called the attention of the general manager of the Pacific Mail Steamship Company to the possibility of 'bringing over' large numbers of Chinese laborers in the guise of merchants, students, teachers, and travelers. It appears that until then this generous provision of the law had been virtually ignored by the promoters of Chinese immigration. After very careful consideration by the representatives of the steamship company the scheme was put in operation, and agents were sent to China for the purpose of working up the business. Chinese laborers were provided with certificates as merchants, students, etc., and the Chinese passenger traffic grew to immense proportions. For some two or three years the business thrived. The collectors of customs looked upon these certificates as absolute evidence of the right of the applicants to admission, and they were admitted after little or no investigation."

I deny absolutely and without any qualification whatever the foregoing statement of Mr. Dunn as to the whole and each and every part thereof.

I deny that any "prominent San Franciscan," or any one else, ever called to my attention "the possibility of 'bringing over' large numbers of Chinese laborers in the guise of merchants, students, teachers, and travelers."

I further deny that "after very careful consideration by the representatives of the steamship company the scheme was put in operation and agents were sent to China for the purpose of working up the business."

I further deny that "Chinese laborers were provided with certificates as merchants, students, etc., and the Chinese passenger traffic grew to immense proportions."

I further aver that neither I nor any other officer or employee of the Pacific Mail Steamship Company has ever been engaged in any wrongful or improper attempt to increase the Chinese traffic on the ships of the Pacific Mail Steamship Company by any unlawful or improper means, or by the practice of any fraud whatever in the matter of furnishing certificates to Chinese laborers or in any other way since the time that I have been vice-president and general manager of the said company.

R. P. SCHWERIN.

Subscribed and sworn to before me this 7th day of April, 1902.

E. L. CORNELIUS,

Notary Public, District of Columbia.

Mr. FAIRBANKS. May I interrupt my friend?

Mr. GALLINGER. I desire to add just one word; that as against this affidavit we have the unsupported and unsworn statement of Mr. Dunn. In that statement Mr. Dunn said he would give the name of his informant to the chairman of the committee, which I understand he has not yet given, unless the Senator has it in his possession this morning.

Mr. PENROSE. I will state for the information of the Senator from New Hampshire that I asked Mr. Dunn yesterday to furnish me with the name of his informant. He has addressed a letter to me giving all the particulars. I will send for the letter, which I loaned to a Senator to examine, and as soon as it arrives, which will be in a few minutes, I will produce it and have it read.

Mr. GALLINGER. I wish the Senator would get Mr. Dunn to swear to it.

Mr. FAIRBANKS. May I now interrupt the Senator from New Hampshire?

Mr. GALLINGER. Certainly.

Mr. FAIRBANKS. It will be for just a moment. By reference to the testimony before the Committee on Immigration, page 285, it will be found that the date of the hearing at which Mr. Dunn made his statement was Monday, February 10, which was practically two months ago. For full two months the positive statement of Mr. Dunn has gone unquestioned, until challenged by this affidavit. I ask the Senator the date of it?

Mr. GALLINGER. This affidavit is dated the 7th day of April, only a day or so ago.

Mr. FAIRBANKS. It is very recent.

Mr. GALLINGER. It is very recent.

Mr. PENROSE. We have a letter, dated April 8, and if it will not interfere with the remarks of the Senator from New Hampshire, and as it is brief and this is the proper place, I will ask the Secretary to read it.

Mr. GALLINGER. I should like very much to have it read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

TREASURY DEPARTMENT, BUREAU OF IMMIGRATION,

Washington, April 8, 1902.

SIR: In reply to your inquiry as to the name of the person who gave me the information regarding the manner in which the business was developed of importing Chinese laborers in the guise of members of the exempt classes, which was related in my statement before your honorable committee and printed on page 316 of the document entitled "Chinese Exclusion, Testimony taken before the Committee on Immigration," I have the honor to inform you that Mr. Robert H. Swayne, of San Francisco, the senior partner of the firm of Swayne, Hoyt & Co., prominent customs and shipping brokers, informed me about one year ago in the office of the Coronado Hotel, California, that he had personally suggested the plan to the general manager of the Pacific Mail Steamship Company; that said plan was adopted, after careful investigation of the possibilities, and that prior to that time but few, if any, Chinese had ever sought admission to the United States under this right and privilege.

Mr. Swayne described this undertaking with considerable detailed information, which it is unnecessary here to repeat, but which may be made known if there is any challenge of my veracity or of Mr. Swayne's statements. As

Mr. Swayne's prominence and wide knowledge of Chinese matters rendered it impossible to discredit his statements, and as said statements but served to amplify information already possessed by the authorities, I made an official report to the Treasury Department covering the circumstances of our conversation soon after it occurred.

As I stated in my address to your committee, I was prepared to give its chairman the name of my informant, which, however, I would not divulge in the open meeting of the committee. I have never been asked for the name of my informant until now, and it is promptly given you for the information of your committee and others interested, but of course with the understanding that it will not be made use of in such public manner as to injure Mr. Swayne, who, although actively engaged in business with the Chinese, is a frank, honorable, and prominent citizen of San Francisco.

Respectfully, yours,

JAMES R. DUNN.

Hon. BOIES PENROSE.

United States Senate, Washington, D. C.

Mr. GALLINGER. Mr. President, I do not wonder that Mr. Dunn suggested that he hoped this matter would not be made public in a way to injure Mr. Swayne. According to the statement made by Mr. Dunn, this Mr. Swayne is a criminal and nothing else. He is a criminal by his own confession, and his unsworn statement is placed here as against the sworn statement of the vice-president of the Pacific Mail Steamship Company.

Mr. PENROSE. Mr. President—

Mr. GALLINGER. This Mr. Swayne admits that, understanding what the laws of the United States were in regard to this matter, he deliberately and in cold blood went to an officer of the Pacific Mail Steamship Company and suggested to him a way in which he could violate the laws of the United States, and then he comes in here and poses, I suppose, as a modern reformer who wants to save us from the iniquities that are prevalent in this wicked world of ours.

Mr. PENROSE. I desire to state for the information of the Senator from New Hampshire that if he is hunting trouble on this subject I can furnish him with the details and the affidavits necessary in this matter.

Mr. GALLINGER. I have no objection to the details or the affidavits, only I do not want a criminal to be brought in here as a witness against an honorable gentleman, who, under oath, denies the unsupported charge against him. I do not know why the officers of the company allowed this matter to rest a month or so. I have myself rested quietly under slanders and falsehoods for more than two months, and in some instances I never took the trouble to refute them.

Mr. DILLINGHAM. Will the Senator allow me?

Mr. GALLINGER. Certainly.

Mr. DILLINGHAM. I think perhaps I should make a statement, as I furnished the affidavit of Mr. Schwerin. I was present when this testimony was given in the committee, but the matter passed out of my mind largely until it was brought forward by the Senator from Indiana the other day. I then interrogated him in open Senate as to the person who had furnished this information, and he, like myself, had never been put in possession of that fact. I then interrogated the chairman of the committee, not in the Senate, and found that he had not at that time asked for the name of the gentleman referred to by Mr. Dunn. But while the discussion was on I was called from the Chamber, and there Mr. Schwerin, the vice-president and general manager of this company, denied the truthfulness of it, and since that time he has furnished me this affidavit, which he asked me to use if it became necessary. That is the way it happened to be produced here to-day.

Mr. GALLINGER. Mr. President—

Mr. FAIRBANKS. May I impose upon the Senator's kindness for one moment more?

Mr. GALLINGER. The Senator is always welcome.

Mr. FAIRBANKS. I dislike to interrupt the Senator. He is always courteous and kind. I wish simply to make a suggestion at this point. It seems to me the Senators were entirely justified in accepting Mr. Dunn's unchallenged statement made two months ago as being founded in fact. If that statement was untrue, it was the proper thing for the officers of the steamship company to challenge it before the committee made its report to the Senate, in order that we, having jurisdiction on the subject, might investigate further into its absolute authenticity.

Mr. GALLINGER. Does the Senator doubt the authenticity of this affidavit of the vice-president of the Pacific Mail Steamship Company?

Mr. FAIRBANKS. I doubt the propriety of its being presented to the Senate two months after the charge was made.

Mr. GALLINGER. The matter of propriety does not cut any figure in a question of fact.

Mr. FAIRBANKS. I have simply this to say. We have the conflicting statements of two men, one an officer of the Government and one who is not—

Mr. GALLINGER. No; I beg the Senator's pardon—

Mr. FAIRBANKS. The statement of the officer of the Government was spread upon the public records two months ago, and I

do say, with all regard to my good friend, that it was proper and incumbent upon the challenged officers of the steamship company to make the denial before the committee and not to wait until the report was in the Senate before challenging it. That is what I have to say.

Mr. GALLINGER. I beg the Senator's pardon. The controversy is not between an officer of the Government and Mr. Schwerin, vice-president of the Pacific Mail Steamship Company. It is between Mr. Swayne, a confessed criminal, and Mr. Schwerin, the vice-president of the Pacific Mail Steamship Company. That is where the matter comes now, and waiving aside the question of propriety as to the matter of the time when the denial ought to have been made, I prefer to accept the sworn testimony of a reputable gentleman to the unsworn testimony of a confessed violator of law. With this I pass from that phase of the controversy.

Mr. President, I notice also that Mr. Andrew Furuseth, the walking, talking delegate, who says he represents the seamen of the country, and who sails the briny deep in the city of Washington on a good salary, made the charge that only six of our fighting vessels attached to the Atlantic fleet were fairly well manned; but when asked to give the name of his informant replied, "I would not care about doing that." That is the kind of "testimony" we are invited to accept.

One witness said that the United States consuls neglect their duties and visé almost every certificate presented to them without proper investigation.

I wonder that the committee, some members of whom are very deeply interested in remedying alleged defects in our consular system, did not find out just who these consuls were and report them to the State Department. Possibly it has been done. I hope so.

This witness says that the consular officers in China habitually neglect to take proper precautions to find out whether the Chinamen coming here are entitled to admission or not. But Mr. Dunn, wanting to show his diligence at San Francisco, and the report of it is found on page 320 of the testimony, said:

The vigilance of the officers having discovered and prevented these and other fraudulent practices, the influx of such applicants has been diminished about 75 per cent within the past eighteen months, and the number of applicants for admission of all classes is reduced almost to the legitimate traffic.

So, notwithstanding our consular officers are neglecting their duties, according to the testimony of one witness, Mr. Dunn, this swift witness against the Pacific Mail Steamship Company says that by his diligence and the diligence of other officers of the Government the Chinese traffic has been reduced to its legitimate dimensions. If this be so, and the census reports fully bear out that statement, what earthly need is there of doing anything except to extend the existing law during the life of the treaty with China now in force?

Mr. President, I am satisfied that under existing law the Chinese in this country are subjected to great indignities in this country, and it is proposed to so legislate that the indignities will be multiplied.

I have here a newspaper published in the city of San Francisco. I do not know anything about it. It came to my attention inadvertently. The proprietor is Frederick Marriott. It seems to be a semiliterary paper. It is edited with a good deal of ability, and here is what this San Francisco paper says about the examination of Chinese in San Francisco and their treatment there:

Now that the matter of Chinese exclusion is prominently before Congress it might be well to look into some of the methods employed against the Chinese landing here, and to exploit a few of the abuses that exist in connection with the examinations they must go through before it has been decided whether or not they are to become residents of the United States.

Every Chinaman coming to San Francisco must satisfy the collector of the port that he is qualified to land—that he is a merchant or that he is a bona fide resident of the United States returning from China. If the collector is not satisfied with his representations, the Chinaman is taken before the United States court, there to give reasons why he should not be sent back to China. The manner in which he is deprived of his rights will be a surprise to those unacquainted with the star-chamber methods employed.

When a boat lands on which there are Chinese, it is at once boarded by a deputy of the collector, accompanied by an interpreter. They see the Chinese in advance of anyone else. They proceed to pump each of them, and allow such as they please to land. If a dispute arises over the right of one of them to take up his residence here, he is taken before the United States court. There his evidence either is not taken or if it is receives no attention. The inspector who had the first interview with him on board ship tells, or pretends to tell, just as he pleases, what the Chinaman told him. On this testimony alone the case is decided. The whole executive power of exclusion of Chinese is practically in the hands of a few of those interpreters, for the others do not comprehend the Chinese language.

Suppose a Chinaman says that he is a merchant in Sacramento. That means a junketing trip for the inspector, who goes to Sacramento to satisfy himself that the Chinaman is a merchant there. Perhaps he finds his store, small and in squalid surroundings. His lordship makes up his mind that the Chinaman is not enough of a merchant to count, comes back and makes a report to that effect, and the Mongolian is deported without a chance in the world to make any defense. His fate depends entirely upon what the inspector tells the court. It is easy to see how an inspector might benefit himself, and the chances offered for wholesale fraud and bribery.

Our exclusion law is foolish enough, unjust enough, and injurious enough to the State—

That is California—

without having abuses connected with it. If it will only be let die it will be well for California. The efforts now being made to pass a new law, stronger than the old, seem to be coming to grief. Our representatives have become overzealous, and have made so much noise over their bill as to attract good, healthy opposition. There is a general awakening as to this Chinese-exclusion foolishness—a general realization that we have been laboring under a delusion; and thinking people are laughing at some of the utter absurdities of the exclusion law now in force. By its terms only Chinese merchants are allowed to come to this country. In China are some of the most learned men, some of the most profound scholars in the world. But they are not merchants; consequently we can not receive them.

With all our boasted erudition on the subject we know very little of the real Chinese. Our experience has been with coolies. We have no knowledge of the respectable class, as far removed from the cooly class as a thoroughbred racer is removed from a mule. The law is so absurd that doctors, bookkeepers, proprietors of hotels, clerks, ministers, journalists, authors, and professionals are all excluded as wild beasts.

These classes can be used to advantage, and as they represent the brains and intelligence of a nation they are our best missionaries of religion and trade.

Such Chinese should be welcomed here. They are desirable citizens. The coolies are not welcome as citizens, but as laborers. They do not wish to be citizens. They want to work, and we need their services. They do not cut wages, but they do faithful work and can always be depended upon. If the same could be said of the white men who do unskilled labor, who seek employment on the ranches and in the orchards, there would be no need of the coolies.

In conclusion, an investigation should be made of the star-chamber methods referred to in the matter of examining Chinese. They are at utter variance with the principles of right and justice.

I have another San Francisco paper, Mr. President, in my committee room, which is bitterly outspoken against the anti-Chinese propaganda proposed in the pending bill.

The Senator from California [Mr. PERKINS] yesterday called attention to the small number of Chinese converts to Christianity. He quoted Dr. Edkins as saying that there were not over 1,000 converts as the result of sixteen years' missionary effort. I will just pause to say, as the Senator from California would say, "parenthetically," that I have never yet found anybody who could estimate, either in effort, time, or money, the value of a human soul, and I am not going to take the scales and weigh the advantages or disadvantages of the propaganda in China by American missionaries. But surely the statement just quoted is not so, and the Senator from Pennsylvania [Mr. QUAY] pointed out that statistics show there have been 100,000 Chinese converted to Christianity in that Empire.

Mr. QUAY. Will the Senator from New Hampshire permit me? I referred to the Protestants.

Mr. GALLINGER. Yes; the Protestants.

Mr. QUAY. In addition there are three or four hundred thousand Catholics.

Mr. GALLINGER. So, according to the statement just made by the Senator from Pennsylvania, who is an authority on matters of this kind, as we all know, there are about half a million converts to Christianity in the Chinese Empire, and yet the Senator from California glibly says there are only a thousand of them, and it has cost too much per capita to convert them, or something of that kind.

The Senator from California said there are only 1,600 Christian Chinese in this country, and that only 4,000 had adopted the Christian faith from the beginning of their immigration to our shores, some of whom, he said, had become Christians for business purposes. Well, Mr. President, if that be so we can match the Chinaman on that score with American church members, and possibly some American deacons.

At best it is problematical what the final result of missionary efforts in China will be. Omniscience alone knows that, and we must patiently wait for its fruition. Turkey, Persia, and other nations are equally slow to accept our religious teachings, but so long as the great command remains on the Statute Book of God the Christian church has a duty to perform from which it will not shrink.

A distinguished Senator said to me at my desk a few days ago that he had never met a genuine Chinese Christian. Well, Mr. President, on Sunday last I saw three Chinese youths taken into church fellowship in this city. They looked intelligent and happy, and I have confidence that they have accepted Christianity in good faith, and there are numerous such instances throughout the country.

A good woman in Boston sent me, a few weeks ago, a copy of the American Missionary for February, 1902, which I have on my desk. It must have been sent because of mental telepathy, as I had not the least notion of saying a word on this subject at that time. This magazine contains a remarkable article from the pen of Rev. Jee Gam, entitled "Chinese exclusion, from the standpoint of a Christian Chinese." I will ask permission to insert the entire article as a part of my remarks, but will read the concluding paragraphs:

It seems that Dr. Rader, an American clergyman, had put him-

self pretty strongly in some observations he had made or something he had written against the Chinese. Rev. Jee Gam says:

Mr. Rader says that Chinatown furnishes the best argument against Chinese immigration from the moral standpoint.

I took occasion to make an observation the other day regarding that matter, suggesting that possibly we could match China or Chinatown in the matter of immorality in every city of this country, if we only knew the facts, and I have no doubt that we can.

Why not have courage enough to denounce the wickedness that is found everywhere you turn in San Francisco—its saloons, its dives, its gambling dens, and its houses of prostitution. Look at Tar Flat, its filth, its dives, and its vices!

How about New York City, its Italian town, its filth, its vices, and its morals?

I have seen these places with my own eyes, and they are a hundred times worse than Chinatown in San Francisco. Read "Darkest New York," the author of which is Gen. Ballington Booth; it will verify my statements, and will not only tell you of the Italian town, but of the Polish town, the Irish, the Portuguese, the Hungarian, and the Italian and Jewish town combined. All these settlers came from Europe and other countries, as I have said, at the rate of 1,000 per day. They are pauper laborers. They have lowered your wages, they have lowered your morals, and disgraced your city. Is it not sensible and just that you should exclude them? To simply attack the few poor Chinese is against all reason and against the teachings of Jesus Christ. This unjust exclusion law will greatly injure your commerce. Let me quote what President Jordan says: "As to Chinese exclusion, it is all one sided. I am not in sympathy with the sentiment that would exclude all the Chinese from the country. We should bear in mind that if China is opened to the trade of America, we can not afford to antagonize that great nation by a rigid law of exclusion. We can not expect that the ports of China will be wide open to us if we close all our ports to China."

Again, this unjust exclusion act is against treaty obligations. Dr. John Fryer, professor of oriental languages and literature in the University of California, is pronounced in the declaration that the exclusion act is a gross breach of the treaty obligations to China.

Suppose that in some future day China should become a powerful nation—and I have not the least doubt that she will—and then she should make a law admitting every people under the sun but the Americans. China may be despised now, but I have a steadfast hope that she will soon become one of the great nations on earth; yes, a Christian nation, too. The Land of Sinim will be won for Christ.

China has already begun for progress; Christianity is spreading more rapidly than ever before; the nation is now all astir for reform and progress. The viceroys are overwhelming the throne with repeated memorials advocating the same. They are planning to open institutions of Western learning throughout the length and breadth of the Empire, and they are fast sending students abroad to acquire the best of the great nations. These viceroys also advocate the opening of mines which, according to all indications, are the richest in the world. They will have more commerce, more railways, more telegraph lines, and improvements of every description to make her the equal of her sister nations.

Meanwhile commerce will be most extensively carried on, and if America does not look out and does not keep up the friendly relations she has gained with China since the late war, other nations will undoubtedly take advantage of the exclusion law and use it as the best weapon to prevent America from sharing in the trade with China. So I say that for the sake of commerce alone America ought to be fair with China, for she can not afford to have the present relations hampered and strained by an unjust exclusion law. The Chinese are a great commercial people. They have a great taste for American goods. What a great market she will be for this country!

These are my views upon the subject of Chinese exclusion; and I hope, my friends, that you will agree with me and do all you can as American citizens to sustain the relationship between the peoples of the two countries, and not only to sustain the relationship, but to evangelize China and ultimately bring her to Christ.

The entire article referred to is as follows:

CHINESE EXCLUSION, FROM THE STANDPOINT OF A CHRISTIAN CHINESE.

[By Rev. Jee Gam.]

DEAR FRIEND: The subject you have assigned me is a vast and difficult one. However, I will try to do my best. I thank "Aloha" and the other friends most heartily for the Christian spirit which actuated them in writing the excellent articles which have appeared in the Pacific setting forth the other side of this question. I tell you, they rejoice my heart most greatly.

You are aware of the title of my paper, "Chinese exclusion, from the standpoint of a Christian Chinese;" so, in the course of this article, if you should find that my views differ from yours, you will please remember that they are the ideas of one who looks on the subject from a different point of view. During the last three months the subject "Chinese exclusion" has been the chief topic of discussion everywhere. The daily papers of San Francisco were filled with reports and resolutions from anti-Chinese conventions. Every politician, the San Francisco supervisors, the Congressmen, and even a minister of the gospel, were loud against the poor, despised, and helpless Chinese.

As a Christian I can bear all the abuses from any class of people excepting those from the clergy. When a minister of the gospel joined the cry of an anti-Chinese convention and poured out such unwarranted and uncalled-for denunciation, it is sufficient to say that it hurts the Christian Chinese very much; it hurts the Chinese in general more, and it hurts the cause of Christ most. It is one of the greatest stumbling blocks retarding the advance of Christianity. Years ago similar stumbling blocks were used by the Rev. Mr. Kellogg, a Baptist minister of San Francisco, and it hurt the cause of Christ then a great deal, but it hurt Mr. Kellogg more; for the result showed plainly that God did not approve of his seeking the glory of men; and now to have this agitation renewed by another minister of the meek and lowly Jesus is sad beyond measure. Sad, because no man, especially a minister, can afford to impede the progress of Christianity. It is like Christian England forcing opium into China at the cannon's mouth on the one hand and sending missionaries on the other. "Consistency, thou art a jewel!"

Now, as to excluding the Chinese from this country. I say the true Americans, that is, those who are Americans, have a perfect right to make a law of exclusion, i. e., to enact a law that can be applied to every person on God's earth. So I say, America, be fair and impartial. Give equal justice to all men alike. You can not afford to do otherwise.

I admit that some of the Chinese ought to be excluded, namely, the high-binders, keepers of opium and gambling dens, those who run houses of prostitution, and those who commit felony. As to the total exclusion of Chinese laborers, I do not think it is necessary nor a wise thing for America to do. Just stop and consider a moment. The Chinese have been coming to America

during the last fifty years, and how many of them are in the country to-day? Only about 100,000, an average of 2,000 per year. Does America need to be alarmed in the least? Is not this problem easily solved? On the contrary, America needs to be alarmed on the other side of the continent, where pauper laborers enter from Europe and other countries at the rate of 1,000 per day. Now, as to the Chinese. I am sure it would be a great relief and also profitable to hundreds of thousands of people here if a certain limited number were allowed to come, say 5,000 annually. The San Francisco News-Letter says this State alone needs 70,000 more.

But the anti-Chinese agitators would have the people believe that the Chinese are detrimental to the Americans, for they would take the bread out of the mouths of the working people. This is only an excuse. There is plenty of work in California; but the trouble is that thousands of the so-called workmen would not accept work when offered to them. They prefer to be tramps rather than true workmen. And you will find what I say is true by going to the police courts every morning. There the prison dockets are full of this class of men, who cry so loud to have the industrious Chinese excluded from the country. Ask the farmers, the orchardists, the owners of canneries, and the housewives, and they will tell you that they absolutely can not do without the Chinese laborers. And why? Because they are industrious, they are faithful, patient, honest, and steady, and they can be depended upon. When you hire them as cooks, you are not bothered by the nightly visitation of numerous beads, as girl servants have.

I wonder why the employers of Chinese have not met together and prepared a petition to Congress for their relief. Let them use their influence against the passage of the exclusion act.

A lady was asked whether her cook, Jee Lee, was a true Christian. She replied, "If he is not, I know of no other." This is very strong testimony in favor of the Chinese. But let me give another and still stronger example. Jee Lock, one of our Christian young men, has worked more than thirty years in one family. Oftentimes he has been left the sole keeper of the house. At one time his employer and the whole family went off and made a trip around the world. They were gone about a year. When they returned they found everything safe and in perfect order. They said, "It is safe for us to take a trip to Mexico," and they did. They came home and found things all right again. I know of hundreds of such Chinese. Think of their honesty and faithfulness! Think of the mighty and great moral influence they exert!

As farm hands, fruit pickers, and packers the Chinese have proved ten times more profitable to their employers than other hired men. When they are paid off Saturday evening they can be depended upon to be at their posts on Monday morning. On the contrary, the laborers from Europe when paid off speedily go on a spree at the cheap wineries or saloons until every cent they have possessed is spent. Do you find them in their places in the fields where they have worked the Saturday before? No. You usually find them all in jail for drunks. And what then? Why every taxpayer in the country has to pay their board from one to ten days or more. If at any time they should become tramps and be arrested, you and every taxpayer would have to support them from one to six months in your city or county jail.

And so they have filled your jails, your almshouses, your hospitals, and other similar institutions. You would be surprised to find, if you should look into this host of people, how many are indigent and how much you have to give toward their and their families' support. You would cry out: "These people ought to be excluded and not the Chinese."

Then, again, just think of the 1,000 pauper laborers that are being landed at Castle Garden every day in the year from across the Atlantic. And who are they? Are they not the lowest and meanest people from Europe? Are they not of the same class as the socialists, the mafia, the nihilists, and the anarchist who assassinated your beloved President, William McKinley? If you are going to exclude the Chinese, ought not these pauper laborers, the scum from Europe, to be excluded, too? Why should they be allowed to come any more than the Chinese? Why do not your politicians, your Congressmen, your Senators, and your people advocate a law that will exclude them? Even the Japanese, who of late have been coming in in great numbers, work for much cheaper wages than the Chinese; yet not one word against them do we hear. What is the reason? Is it because they have war ships? If so, America ought to go at them all the more; for what is a hero? Not the man who attacks a sickly, disabled, aged person, but one who dares to attack an opponent who is his own equal. That is the kind of a man we love to see and will praise for his bravery. For what is the use of shutting out the Chinese and not the others?

Let me give this illustration: A rich man lives in his mansion. One day he ascends his tower and, happening to look around, discovers a hundred tramps of all nationalities coming toward his magnificent residence. One of those tramps is a Chinese. This rich man hurries down the stairs and closes and bars the door through which the Chinaman intended to enter, and, not content in doing this, he sends out half a dozen guards to drive the Chinese whence he came; but he leaves the other doors open and unguarded and allows the 99 tramps from Europe and Japan to enter and take possession of his home. Will we not say he is a most foolish man; for of what benefit is it to shut out the one and not the other 99? Yet this is just what Americans are doing to-day. Is this the patriotism which they so often talk about? If it is, it must be of a very poor quality.

But we have learned that America is the land of the free and a home for all the oppressed. Furthermore, the people of other nations, including the Chinese, were invited to this country; and the Chinese are here by treaty rights, just as much as any other people, and therefore no rightful discrimination can be put upon them without seriously hurting the good name of America.

Again we have learned, as "Aloha" of the Pacific has said, that "the earth is of the Lord." All people have a right to live upon it. If America is owned by any human beings at all, it is owned by the Indians. If people of all nations are allowed to come to America, why is the Chinese alone denied the same privilege? Some people, especially the politicians, would have you believe that all other immigrants make good citizens except the Chinamen. The following is a list of the charges they invariably use to back their arguments:

1. The Chinese will not become citizens.
2. They do not assimilate with our people.
3. They eat their own food.
4. They do not adopt our dress.
5. They cheapen our wages.
6. They send their money to China.
7. They affect our morals.

In answer to the first charge, viz: "The Chinese will not become citizens." Now, this shows that people simply speak without investigation. Years ago—in the early seventies—a test case was brought in one of the Federal courts in San Francisco, and what do you think the decision was? It was that United States citizenship is only for the white man and the black man, and not for the yellow man. What a ridiculous decision that was! Again, the very exclusion act says that no court is allowed to extend citizenship to the Chinese. In the face of all these prohibitions the Chinese are criticised for not becoming citizens.

In answer to the second charge, viz, "They do not assimilate with our people." At the same time the Chinese are not allowed to assimilate with

the American people. The Chinese children were not allowed to attend the public schools until very recently. The Chinese had to go to law to obtain this privilege; but, after all, legislators of California ordered just one separate school for the Chinese children in the entire State.

The third charge is that the Chinese eat their own food. Suppose they do; but they pay heavy duty on the rice they import.

As to the fourth charge, viz, "They do not adopt our style of dress." Upon the Chinese clothing which they import the Chinese also pay a heavy duty. They buy a great deal of American cloth for the manufacture of clothing, this cloth being made up generally into clothes of Chinese cut, and because they happen to be made in Chinese style the people abuse them for wearing Chinese clothing. It is altogether wrong to blame them for their action in this matter. It amounts to this much: If you and I go into a store and we both purchase a bolt of cloth each, you take yours home and make a coat in American style; I take mine home and make a coat in Chinese style. And where is the ground for argument?

Fifth. The Chinese are charged with cheapening wages. In the first place, who cheapened the wages in New York? Did not the pauper laborers from Europe? Certainly they did.

Sixth. The Chinese are charged with sending their money to China. Have they not the right to do with their money as they please? What right has anyone to dictate as to how and where another man should spend his money? The Rev. R. B. Tobey, of Boston, who has had more than twenty years' acquaintance with the Chinese, says that carefully prepared statistics show that proportionately the Chinese send home less money than immigrants from countries other than China.

Seventh. The Chinese are charged with affecting your morals. Is the character of the American people so weak as all that? Are they really in danger? In my estimation you need not fear the least. On the other hand, I think all can acquire some good characteristics from every kind of people, and you perhaps may be able to learn something from the Chinese.

Commenting on Chinese morals, the Rev. William Rader says that the Chinese have signally failed to become a moral American force. I claim that as regards honesty, filial piety, and giving, the Chinaman may serve as an example to a great many Americans. In speaking of Chinese characteristics, President Jordan, of Stanford University, recently said: "A Chinese merchant is one of the most honorable men in the world in business dealings; if he once gives his word he may be depended upon. A Chinese never fails in carrying out contracts."

The practice of filial duty by the Chinese is also a great moral force to Americans. They honor and take the greatest care of their parents as long as they live. It has often been said by hundreds of people that the Chinese keep the fifth commandment more rigidly than any other people on the face of the globe, and that God is blessing them with the promise of the commandment.

Chinese as Christians have exerted a great moral force upon the Americans in giving. Ask the secretary of the Christian Endeavor Union, and she will tell you that a Chinese Christian Endeavor Society in San Francisco has repeatedly outdone every Christian Endeavor Society in California in giving. Ask Mr. John Willis Baer, the general secretary of the United Society of Christian Endeavor, and he will very quickly tell you that the Chinese Congregational Christian Endeavor Society in San Francisco ranked third in the world in giving to missions in 1897, and the same society ranked second in 1898, ranked fifth in 1899, ranked third in 1900, and ranked second in 1901. Does not this fact itself exert a mighty moral force upon the Americans? If not, why?

"Americans ought to look under the hats of immigrants," says Mr. Rader. You have a perfect right to do so; but are you doing your duty and showing your bravery and patriotism by advocating the examination of one and not the others? As to the number of Chinese in America, Mr. Rader says: "It is estimated that the whole number of Chinese professing the Christian faith is about 1,600." Why, the idea! We have more than that in our own denomination.

Mr. Rader was only a little better informed than Lieutenant Wood, who says that he has yet to see the first Chinese Christian in China. The 40,000 Chinese Christians who gave their lives as martyrs during the Boxer outbreak last year will be the best answer to such an unfounded declaration.

The money spent in converting a Chinaman is less than half of what the average church spends in converting an American. Again, Christianizing the Chinese in America is really Christianizing the Chinese in China. Our Chinese converts have been sending the gospel home for more than twenty-five years. Through their efforts missions have been established in the Kwang Tung Province. Thousands of Chinamen are to-day leaving China with the uplifting truths inculcated by Christian people here in the United States. Said the Rev. Dr. Noyes some years ago, one who was for thirty years a missionary in China: "Nearly all the Chinese in the United States come from the districts in the Canton Province. Twenty-five years ago there was not a Christian chapel or school in all that region. Now there are few places in these districts where there is not a mission chapel within a distance the Chinese can easily walk." Giving the number of chapels in which work was carried on by the denominations with which he was connected, Dr. Noyes said: "Every one of these sites was obtained by the help of Christians who have returned from California. Of the 13 native assistants who have labored at these stations, 6 were converted in California, 1 in Australia, and 1 received his first serious impression from a member of the Congregational Chinese Church in California on the steamer crossing the Pacific."

Mr. Rader says: "It is the opinion of Christian workers among the Chinese that the proper place to Christianize the Chinese is not in America, but in their own country."

I would like to know who these workers are. Why doesn't Mr. Rader give us their names? Does this information come from Dr. Pond, superintendent of the Congregational Chinese Mission, or from Dr. Condit, of the Presbyterian Mission, or from Dr. Hammond, of the Methodist Chinese Mission? I am certain that it does not come from them, for our Congregational missions in California alone have had more than 1,800 reported Christianized. I refer you to Dr. Pond's report for 1901.

Mr. Rader says we have failed to Christianize the Chinese. Did Mr. Rader ever try to Christianize the Chinese? If he has not, he is not speaking from experience. Mr. Rader says that other immigrants have brought hither their wives and children, but that the Chinese immigrants have no homes. Right here Mr. Rader forgets that the exclusion act itself denies such wives and children a right to land. The only women who are allowed to enter the country are the wives of merchants, and only their minor children can come with them. If the privilege given to other immigrants were extended to the Chinese, they would have brought their wives and children long ago. And I can say this much, that the Chinese enjoy, cherish, and love their homes just as much as the Americans; in many respects their love for homes is even greater, because they do not believe in divorces and don't have them.

Again, Mr. Rader argues that the immigrants of other nationalities have become pillars of the Republic. The Scotch have given us conscience, the Italians artistic taste, the Frenchmen wit, the Englishmen piety, and the Scandinavians industry. This may be true, but Mr. Rader only mentioned four classes of people out of a hundred nationalities from Europe. But is it not showing partiality to mention only the good of the four nationalities and

not the bad of the same? But when he comes to the Chinese he rakes up all the bad and omits the good.

Give the Chinese the same rights and privileges which you extend to other foreigners and see if they are not the equals of all those people who come from Europe and other countries. And if our friend Mr. Rader cares to make further inquiries concerning this matter let him take a glance at the records of Yale and other noted colleges, for he will find in them that the Chinese students who have attended these famous institutions ranked among the highest students of those universities and oftentimes they stood at the head of their classes.

Time will not permit us just now to mention more than one noted student. Mr. Yong Wing took several prizes for English composition at Yale, and upon his graduation many people traveled a thousand miles just to see and hear him. Mr. Rader says that a few years ago the board of supervisors of San Francisco made an investigation when it was shown that 30,000 Chinese lived within a space composed of 8 blocks, 57 women and 59 children living as families; 761 women and 576 children herded together with apparent indiscriminate parental relations and no family classification as far as could be ascertained; 576 prostitutes, 87 children—professional prostitutes and children living together. I want to say that this report is entirely untrue. It is of the same character as the fake plague reports given out by the board of health last year.

Mr. Rader says that Chinatown furnishes the best argument against Chinese immigration from the moral standpoint.

Why not have courage enough to denounce the wickedness that is found everywhere you turn in San Francisco—its saloons, its dives, its gambling dens, and its houses of prostitution? Look at Tar Flat, its filth, its dives, and its vices.

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These are my views upon the subject of Chinese exclusion, and I hope, my friends, that you will agree with me and do all you can as American citizens to sustain the relationship between the peoples of the two countries, and not only to sustain the relationship, but to evangelize China and ultimately bring her to Christ. (The American Missionary, February, 1902, Vol. LVI, No. 2, p. 99.)

Mr. GALLINGER. Mr. President, the immigration to this country from 1890 to 1900 was considerably in excess of 3,000,000 people. Last year 487,918 came from foreign countries. They were literally of all classes and conditions. The Senator from Indiana [Mr. FAIRBANKS] said that for the most part they were desirable. Surely the Senator has not visited Ellis Island or witnessed the motley crowd at Castle Garden. Many of them are ignorant, vicious, and undesirable in every respect, but we admit them, and I say that we ought to have infinitely more stringent laws on the subject of immigration.

It was a great regret to me that the bill on the question of immigration, which you, Mr. President [Mr. LODGE in the chair] introduced, and which was passed through the Senate, failed in another body; and it is equally regrettable to me that having refused to enact that bill into law a certain other bill came to the Senate yesterday from the same body on the subject of Chinese exclusion. And while we allow nearly half a million of emigrants to come into our ports in a single year, we hold up our hands in horror at the 89,000 Chinese now in this country, and while we talk of Christianizing them and extending our trade among them it is proposed to pass this harsh, unnecessary, and cruel statute. Well did a distinguished gentleman in another place say a few days ago:

China was civilized for centuries while we were wandering Huns and Goths in the forests of Europe and wild men on the heather of Scotland and Ireland.

China can teach us much out of her past history and much of her great sciences that were known to her before we were ever heard of. I want intercourse between the two countries. I want that development between the Orient and the rapidly growing West which will tend to the advancement of the world and to the benefit of mankind at large.

Some people, Mr. President, look upon China as a nation of barbarians. They would apply to them the little stanza that has done service in other directions:

The poor benighted Hindoo,
He does the best he kindo;
He sticks to caste from first to last
And for clothes he makes his skindo.

[Laughter.]

But they are not barbarians. They are a great people. The Empire is a sleeping giant, that will some time rouse from her slumbers, and it will be well for the United States to then be her friend. Let us be just in this matter. Our present laws are strict and adequate, and it seems to me that equity and wisdom both demand that Congress shall refuse to enact legislation that is clearly unnecessary, if not absolutely pernicious. The laboring men of this country are fully protected by the existing statute, and their interests will be safeguarded without the passage of a law that seems to me to be unwise in the highest degree.

Mr. President, there were some other matters connected with this question that I thought I might touch upon, but I have already trespassed upon the good nature of the Senate, and will content myself with what has already been said. Possibly later in the debate I may address myself to other phases of the question.

Mr. TURNER. Mr. President, there is a disposition abroad in the land which is not without its echo in Congress to object to legislation of the character of that embraced in this bill, on the ground that it is illiberal, uncharitable, and unchristian to deny to the Chinaman the same rights, privileges, and advantages in our land and under our institutions that are freely accorded to men of every other nationality. This disposition springs from a false and mistaken sentimentality founded on ignorance of Asiatic characteristics, and a failure to consider the duty which every Government owes to its own people.

The Chinaman is a man and brother, it is true, but with a physical and mental and moral organization so different from ours that he might have come from another planet. His physical organization is the result of four thousand years of struggle for existence under conditions of toil and starvation without a parallel in the world's history. That struggle has made him an animal without nerves. He is capable of enduring the most tremendous exertion, with a minimum of food and rest, under any climatic condition which the world presents. His mental and moral organization is what might be expected from such an environment. His conceptions all relate to his own wants and necessities. His affections embrace only his own immediate family. He is lacking absolutely in patriotism and in conceptions of civic duty. He observes his contracts fairly well because he has learned that he can not escape them, but in business matters generally his chief characteristic is duplicity and deceit, and this characteristic obtains among all classes from the highest to the lowest. He is absolutely devoid of morals as we understand morals. He is a gambler by instinct; cheats and lies as a matter of education; injures and slays his adversary without compunction and without loss of caste among his fellows, and considers female prostitution a virtue. I speak, of course, of the great mass of the lower class in China, and upon the authority of intelligent observers in that country, confirmed by what I myself have seen of that race on the Pacific coast. His only virtues are temperance and sobriety; his highest intellectual faculty, imitation; and his greatest value to the world, an unexcelled capacity for hard manual labor.

There are 450,000,000 of him in China, crowded and cramped, dragging out a cheerless existence under the same hard conditions that have prevailed there from the beginning. He is being pushed out into the world—those parts of it that are accessible to him—by overpopulation, and as its advantages become known to him he is coming out by choice; but wherever he goes and however long he stays, he never becomes anything but a Chinaman. Where his presence is sporadic, he stands out as a singular and unique but no unpleasing unit in the population, but he is never lost in it. Where he congregates in numbers, he transplants China bodily, its habits and customs, its vices and crimes, its outward signs and symbols, its ineradicable racial tendencies. It is possible for him to assimilate others, but for others he is non-assimilable. He is a Chinaman first, last, and all the time.

The Pacific coast lies opposite that of China on the Pacific Ocean. The demand for labor there and the rewards which it obtains make our country an Eldorado for the Chinaman. In a few years the most humble can by manual labor amass what is considered a competency in his own country. At the time the policy of Chinese exclusion was entered on in this country the immigration from there was so large and steady and continuous that but for

the adoption of that policy the Asiatics would soon have outnumbered the whites on the Pacific coast. Even since the adoption of that policy and the most rigorous enforcement of stringent laws intended to carry it out, our Chinese population has continued to increase. The Treasury Department estimates that there are 300,000 Chinese laborers in the United States to-day, although there are only about 97,000 registered under existing laws.

Such is their craft and deceit that no law except one of absolute exclusion of all classes will prove effective in entirely excluding the prohibited classes. Throw down the bars and permit the Chinese laborers to come in at will and they will come to our country in a steady and in a steadily augmenting stream. It is not necessary to take the extreme view which some careful and philosophic observers have taken and look upon such an irruption as the beginning of the Asiatic march for the dominion of the world. There is much to cause alarm in the thought of what such an enormous horde, so inured to toil and hardship, might do if trained in arms and lead by a new Attila or Tamerlane. The Christian world may at some time, and at no distant day, be compelled to put forth all the energies of which it is capable to preserve its civilization against the yellow hordes of paganism; but the struggle will not be on this continent in the first instance, nor as the result, primarily, of Chinese immigration to our shores. But the result which would certainly follow unrestricted Chinese immigration to our country are baleful enough to make us pause and hesitate without considering the ultimate struggle between paganism and Christianity.

The labor of our land would be reduced by competition to the Chinese level of reward, to the Chinese level of subsistence and existence, to the Chinese level of faith and morals. The only alternative, and it is one that would certainly be adopted, would be that the intelligent, self-respecting labor of this country would rise in its might and drive the Chinaman into the sea, and if any government undertook to prevent, it would go down in the throes of insurrection and revolution. However much capital may need cheap and docile labor, however much it may chafe under conditions which our civilization and our free institutions and our universal education have built up in the matter of our labor supply and the demands which it makes for a fair share of the joint returns of capital and labor, it can not afford to look in the direction of China for relief. The American laborer will not be pauperized and paganized, and those who try the experiment will suffer equally with those upon whom the experiment is tried.

Moreover, the experiment is as needless as it would be heartless and wicked. The American laborer is the best in the world. He gives in increased efficiency a full return for the larger reward which he demands. The results obtained by him are the wonder of the world, and are being studied by the world. It is to be hoped that this will not be interfered with, that it may go on to its full fruition, so that the world may be brought to realize, not only the dignity of labor, but the material advantages which accrue from elevating and uplifting it.

Mr. President, it is this race, as I have described it, with its minimum of virtues and its maximum of vices, and with its virtues of a character to lower and debase to its own level of vice our free, intelligent, self-respecting citizenship, that our sentimentalists insist on inviting to membership in the great American family. We can not afford to do that, and there is no rule of law, human or divine, no principle of comity or charity or benevolence, which requires us to do so.

Nations, like individuals, have their own lives to lead, and since their lives, like those of individuals, are molded by their environment, they have the unquestioned right of seeking and creating the most favorable environment which their situation renders possible. They are not exempt, so far as they are necessarily brought into contact with other peoples, from the binding force of justice, morality, benevolence, and the application of the religious principles which find acceptance among them, but those principles have only a minor and secondary application to foreigners when nations come to regulate their own domestic life and determine the direction which their national development shall take. As to such matters they are still in a state of nature and need but to follow nature's law, and if that be some times cold and harsh, or appears to be so, it is the law given by the Almighty to all animate life for its advancement and perfection.

In regulating its internal economy a nation has the right and it is its unquestioned duty to proceed on the lines of the homely proverb that "charity begins at home." It does not end there, of course, but there is no room for its exercise abroad so long as it is imperatively required at home. The true sentiment, then, that which is not only true to nature, but to educated morality and benevolence and Christian charity, requires us to legislate now, not for the Chinaman, but for the American, and if in the process the former must go to the wall, then the God of nature, as well as the God of the Bible, give us their sanction and approval and say "amen" to our work. The Chinaman is a man and a brother, it

is true, but if his advancement means our retrogression, if in order that he shall rise it be necessary that we shall sink, then let him rise and advance by his own effort and in the environments in which the Almighty left him, and it will be sufficient that we have placed no obstacle in his pathway. No law, either human or divine, natural or revealed, requires us at such a cost to extend to him a helping hand.

This I conceive to be the morality which governs nations in dealing with such questions as this one. It has been applied by us more or less toward the people of all the nations of the earth. The pauper, the cripple, the sick and infirm, even the criminal, are men and brothers, but we do not permit them to land on our shores to become charges on our bounty or to scatter physical and moral infection among our people. Perchance the pauper might prosper, the weak and infirm be healed, the criminal be reformed, but we take no chances in that direction. The American people, in their onward march to a greatness and perfection which no other people has ever attained, are entitled to move forward on a highway as broad and smooth and as free from obstructions as enlightened statesmanship can make it. This is national morality. This is the morality of true and enlightened statesmanship. I hope that it will always be exhibited and followed in the legislation of Congress. I hope and pray especially that it may be followed here to-day in dealing with this Chinese question, which presents a grave peril to the American people. Who is there that would pauperize the intelligent and self-respecting labor of this nation to the Asiatic level? Who is there that would invite the mental, moral, and physical miscegenation which unrestricted Chinese immigration would bring on our people? The degeneracy which would follow is unthinkable to those unfamiliar with the Asiatic races, but is only too apparent to those who have been brought into contact with them.

I remember vividly an excursion which I made through Chinatown in San Francisco a number of years ago. There was gathered there within limits not to exceed a quarter of a mile square, in business buildings given over to the Chinese inhabitants, probably 30,000 Chinamen and a few Chinawomen. They burrowed in the ground like rats. They roosted in the air like crows. They were packed in every available space like sardines. Even at midnight the entire quarter presented a scene of the greatest activity. There was light and noise and confusion everywhere, as if the people never rested. Of course, this was only seeming. I was taken through one five-story building devoted to rest and recuperation. The entry was through an areaway into a cellar. In this areaway and in all the passageways of the cellar, which were never closed against the weather, we stumbled over poor wretches huddled up, sleeping on the ground, while on the sides others were stretched in slumber on bare benches. Each of the five floors of the building was fitted up with tiers of wooden bunks, one on top of the other, reaching from the floor to the ceiling, about 2 feet wide by 6 feet long; and these tiers were packed so close together that there was barely room for locomotion between, and in each one of these bunks was a Chinaman. I should say that there were 500 Chinamen in this one building. The stench was something never to be forgotten.

In the buildings given over to vice, such as gambling, prostitution, opium smoking, and the highbinder societies, there were tunnels in the ground, perforations in the partitions, secret passageways, some leading to the roof, others to the underground tunnels, and others still into adjoining buildings. Entering one of these buildings, after traveling interminable passageways, climbing sometimes up to the roof and then descending down into the cellar, meeting all sorts of obstructions and barriers and overcoming them with cabalistic signs and words, seeing vice and debauchery and immorality in its ugliest and most repulsive forms, all the time accompanied with a powerful and all-prevailing effluvia of dirt and filth and opium smoke, one is turned out into the pure air of heaven with a realization never before experienced of God's goodness in providing that bounty for the use of his creatures.

On looking around, however, to take bearings one is surprised to find everything strange and unfamiliar, and is then informed that he has emerged on another street from that on which he entered and several hundred feet away from the point of entrance. I was told that all the buildings in Chinatown were honeycombed in this way for protection against the officers of the law. I shall not describe all that I saw on this excursion. The sights, sounds, and smells nauseate me to this day when I recall them. The general impression left on one's mind is that of a seething, reeking, heaving mass of vermin, intermixed and intertwined, each striving with all its might to satisfy some animal need or craving, and having nothing in the world in common with anything human except an ugly, debased, and stunted human form.

A similar condition prevails in the city of Portland, Oreg., although, possibly, not so exaggerated, and a similar condition of affairs is growing up in the city of Seattle, in my own State. We

will have these seething, swarming sink holes of iniquity in every city in the Union within twenty years if our present system of Chinese exclusion be broken down or materially weakened. If our good women who, annoyed by the servant-girl question, are petitioning us to break down our present laws and let the Chinamen in could see these dens from which their domestic force is recruited as they actually exist, they would as soon think of taking vipers into their bosoms as to admit these moral lepers into their households to contaminate and destroy their pure atmosphere.

Let me refer, in this connection, to some of the testimony from California presented to the Senate Committee on Immigration while that committee was considering the bill now under consideration. This testimony is found on pages 86, 87, and 88 of Senate Report 776, part 2.

Mr. Livernash said:

I have here a table, compiled from the public records of the city and county of San Francisco, for the twenty-one years beginning with 1880.

It shows 1,311 arrests of Chinese persons within that period in San Francisco on charges of felony, and the list of crimes includes arson, abduction, assault with deadly weapon, assault to murder, assault to rob, attempt to bribe, burglary, attempt at burglary, extortion, embezzlement, forgery, grand larceny, kidnaping, libel, murder (more than 100 cases), mayhem, passing counterfeit money, perjury, rape, robbery, receiving stolen goods, smuggling, and threat to kill.

The table further shows that there were 31,161 arrests in the same period of Chinese persons charged with misdemeanors, including petit larceny.

The CHAIRMAN. Is that in San Francisco?

Mr. LIVERNASH. Yes, sir.

The CHAIRMAN. How many Chinese are there?

Mr. LIVERNASH. We have, according to the last census, under 20,000. According to the estimate of the Treasury Department we have between 50,000 and 60,000.

Returning to the matter I was discussing, I shall read from a letter addressed by the chief of police of Sacramento, a place of about 30,000 inhabitants, to Mr. Woods, now a Representative in Congress from California. The chief of police says:

"The total number of Chinese arrested in this city (not including Sacramento County) from January 1, 1891, to January 1, 1901, was 852, as follows:

"Seventy-three for felonies. Of this number 57 were held to answer; 16 were discharged. These 73 arrests were for murder, murderous assaults, burglary, and grand larceny.

"Seven hundred and seventy-nine for misdemeanors—petit larceny, opium smoking, gaming, and violating city ordinances; 624 were convicted; 155 were discharged.

"In this community, as well as in every other place where Chinese abound, the ruin of a great many of our American youths is traceable to a habit peculiarly common among the Chinese, namely, opium smoking. This habit was almost unknown in this State until the Chinese came. A review of the 1,370 convicts at San Quentin prison and of the 771 quartered at Folsom will, I think, bear out my assertion that 40 per cent of the convicts are now such through the opium habit, contracted directly or indirectly through associating with the Chinese."

I quote as follows from a letter received last October by Congressman Woods from the city marshal of Santa Rosa, a California community of about 8,000 inhabitants, in the heart of an exclusively agricultural and horticultural district:

"The number of Chinese arrested in the last ten years in Santa Rosa is 30, which seems ridiculously small. But the Chinese do not offend in a way that you can locate and arrest. They are rather a festering sore, or a rotten apple in a box of good ones. Two-thirds of the young girls who have gone wrong since I have held office have been led astray by Chinese at an age—viz, 9, 10, 11, 12—when no white man would pay any attention to them. The Chinese start in by giving money and candy to them. I do not mean by this all the girls who have gone wrong, but all who are notorious and publicly recognized as unchaste.

"Then, too, it is impossible to estimate the far-reaching effects of opium smoking. The public does not realize what a curse it is becoming. The very highest have fallen victims."

I quote also in this connection some statements from travelers and sojourners in China, who have observed its people and have spoken concerning their mental and moral characteristics:

Lord George Curzon, in his *Problems of the Far East*: "The board (tsungli yamen) is in reality a board of delay. Its object is to palaver, and glaze, and promise, and do nothing." (P. 253.)

Henry Norman, in his *Peoples and Politics of the Far East*: "Every Chinese official, with the possible exception of one in a thousand, is a liar, a thief, and a tyrant." (P. 282.)

"Dirt, falsehood, corruption, and cruelty are some of the least objectionable of Chinese vices." (P. 287.)

"Chinese literature inculcates all the virtues; Chinese life exhibits all the vices, Chinese professions—and this is the point where foreign diplomats have so often gone astray—are everything that is desirable; Chinese practices are everything that is most convenient. 'The life and state papers of a Chinese statesman,' wrote Mr. George Wingrove Cooke, 'like the Confessions of Rousseau, abound in the finest sentiments and the foulest deeds. He cuts off 10,000 heads, and cites a passage from Mencius about the sanctity of human life. He pockets the money given him to repair an embankment, and thus inundates a province; and he deplores the land loss to the cultivator of the soil. He makes a treaty which he secretly declares to be only a deception for the moment, and he exclaims against the crime of perjury.'" (Pp. 294, 295.)

Professor Robert K. Douglas, in his *Society in China*:

"There is no country in the world where practice and profession are more widely separated than in China. The Empire is preeminently one of make-believe. From the Emperor to the meanest of his subjects a system of high-sounding pretension to lofty principles of morality holds sway; while the life of the nation is in direct contradiction to these assumptions. No imperial edict is complete and no official proclamation finds currency without protections in favor of all the virtues. And yet few courts are more devoid of truth and uprightness, and no magistracy is more corrupt than those of the Celestial Empire." (P. 3.)

Rounseville Wildman, in his *China's Open Door*:

"Perjury is not a crime in China, as it is taken for granted that every man will lie as long as it will benefit him." (P. 264.)

"A Chinaman will lay as clever plans to cheat or fool some particular god as to blind the eyes of a rival firm." (P. 235.)

Dr. Williams, who spent forty-three years in China, in his *Middle Kingdom*, on pages 894, 895, and 896, speaks of the Chinese people thus:

With a general regard for outward decency they are vile and polluted in a shocking degree; their conversation is full of filthy expressions and their lives of impure acts. They are somewhat restrained in the latter by fences put around the family circle, so that seduction and adultery are comparatively infrequent; the former may even be said to be rare; but brothels and their inmates occur everywhere on land and on water. One danger attending young girls going abroad alone is that they will be stolen for incarceration in these gates of hell. By pictures, songs, and aphrodisiacs they excite their sensuality, and, as the apostle says, "receive in themselves that recompense of their error that is meet."

More ineradicable than the sins of flesh is the falsity of the Chinese and its attendant sin of base ingratitude; their disregard for truth has perhaps done more to lower their character than any other fault. They feel no shame at being detected in a lie (though they have not gone quite so far as not to know when they have lied) nor do they fear any punishment from their gods for it.

A Chinese requires but little motive to falsify, and he is constantly sharpening his wits to cozen his customer—wheedle him by promise and cheat him in goods or work. There is nothing which tries one so much when living among them as their disregard of truth, and renders him so indifferent as to what calamities may befall so mendacious a race; an abiding impression of suspicion toward everybody rests upon the mind which chills the warmest wish for their welfare and thwarts many a plan to benefit them. Their better traits diminish in the distance, and patience is exhausted in its daily proximity and friction with this ancestor of all sins.

Thieving is common, and the illegal exaction of the rulers, as has already been sufficiently pointed out, are most burdensome. * * * Female infanticide in some parts openly confessed, and divested of all disgrace and penalties everywhere; the dreadful prevalence of all the vices charged by the Apostle Paul upon the ancient heathen world; the alarming extent of the use of opium—furnished, too, under the patronage and supplied in purity by the power and skill of Great Britain from India—destroying the production and natural resources of the people; the universal practice of lying and dishonest dealing, the unblushing lewdness of old and young; harsh cruelty toward prisoners by officers and tyranny over slaves by masters—all form a full, unchecked torrent of human depravity, and prove the existence of a kind and degree of moral degradation of which an excessive statement can scarcely be made or an adequate conception hardly be formed.

Mr. Livernash, of the California Chinese commission, in his admirable address before the Senate Committee on Immigration, which I wish every Senator would read, has collected from the authorities on the question of the tremendous capabilities of the Chinese, their latent power, and the effect on the occidental industry of their competition. I can not improve on his industry in collating, nor upon the eloquent force with which he drives home his conclusions, and shall content myself on that branch of the discussion with quoting from his address:

There is no people on the earth capable of surviving free competition with the Chinese. His Excellency Wu Ting-fang was not exaggerating when he wrote that his countrymen can outwork other peoples, whether in polar cold or torrid heat, subsisting the while on a rice diet. He but confirmed the observations of all expert inquirers.

"The truth is," says England's agent, Mr. Bourne, after extensive inquiry in China, "that a man of good physical and intellectual qualities, regarded merely as an economic factor, is turned out cheaper by the Chinese than by any other race. He is deficient in the higher moral qualities, individual trustworthiness, public spirit, sense of duty, and active courage, a group of qualities, perhaps, best represented in our language by the word manliness; but in the humbler moral qualities of patience, mental and physical, and perseverance in labor he is unrivaled."

"No occidental," says Wildman, "can comprehend the full measure of Chinese economy. It is an art and a science that has been perfected through the centuries. * * * Two cents a day is a fair estimate per head of what it costs to feed 300,000,000 of China's 400,000,000. * * * Absence of nerves and ability to suffer is a God-given gift, and makes the Chinese equal to an existence that would blot out European civilization in two generations. One can not but wonder if, in the struggle for the possession of the earth that is now taking place, the white man of 'nerves' may not in the end go down before the yellow man without 'nerves.'"

To the same effect is the testimony of Reinsch and Hearn; and as for Kipling, well, in his singularly terse way of summarizing clear observations, he says of the men of China: "A people without nerves as without digestion, and, if report speaks truly, without morals." And again: "There are three races who can work, but there is only one that can swarm. These people work and spread. They pack close and eat everything, and they can live on nothing." And yet again: "They will overwhelm the world."

Not even in the Far East, where standards of life are primitive and heredity has not made strikingly for nervous development and sensitiveness, can the Chinese people be overcome when they determine to hold ground in competition.

"Better artists and stronger workmen, man for man," says Kipling, speaking of the Chinese in comparison with the Hindu and the Japanese.

And, writing of Singapore, he tells us: "India ended so long ago that I can not even talk about the natives of the place. They are all Chinese, except where they are French, or Dutch, or German. England is, by the unformed, supposed to own the island. The rest belongs to China and the Continent, but chiefly China."

Forty centuries of privation, of fierce competition within China for the most wretched subsistence, have left ineffaceable impressions on the yellow race; have given that race a minimum of nerves, power to work hard with little food and with little sleep, and to rest under the most uncomfortable conditions; have given that race qualities of self-control, servility, fatalism, perseverance, which no Caucasian nation can or ever should approximate and which no Caucasian nation can afford to ignore.

I think I can understand Kipling's point of view when he spoke of Canton as reminding him of those "horrible sponges, full of worms, that grow in warm seas," and, again, as "a big blue sink of a city full of tunnels, all dark, and inhabited by yellow devils, a city that Doré ought to have seen;" and I think he was not hysterical in drawing back with fear on contemplating China's 400,000,000 subjects—fear lest the day should dawn when there would creep out of Asia a yellow tide that would overwhelm the Occident.

I tremble myself when I think what possibilities lie in stirring this terrible people—one-third the population of the globe—into industrial effectiveness, into political greatness, into—well, that is the terrifying problem: Into what?

Who shall say? We may be loosing the whirlwind. We may be tearing down a flood gate now holding back a pent torrent irresistible if set free. Out of the land of the dragon may sweep some modern Kublai Khan, some new Tamerlane—not, perhaps, with fire and sword, but with industry and rice—to destroy our Christian civilization.

The Chinese possess the qualities out of which may come great skill in almost every employment of life; and where they lack, just now, in skill, they throw into the equation their terrible numbers, their dreadful perseverance, their amazing endurance; and when the American workman has reached in competition a level below which he can not go without less of sunshine, less of beef, less of care for the generation to follow him, less of concern for the institutions of his race and his country, the Chinaman has reached only the beginning of his capability to sink, for inch by inch he can go down with his white competitor, until that competitor falls fainting and surrenders, leaving him with the employment for his own and his powers of sinking scarcely touched. In struggle for place the yellow man needs only as equipment a little rice and a little opium. He is not encumbered by the refinements of Christian civility, by sense of civic duty, by family ties.

Why, Senators, it stirs the blood in protest—the thought of hesitation among white men when it is proposed that we guard our own from the touch of horrid competition with the tragic product of China's ages of black mistakes!

On the question of the right, power, and duty of every nation to protect itself against such horrid and debasing conditions as those which unrestricted Chinese immigration would bring on our people, I shall content myself with two quotations.

In 1892 Mr. Wharton, then Assistant Secretary of State, responding to numerous complaints made by the Chinese minister on the subject of our exclusion laws, addressed a letter to that functionary in which our policy and the grounds on which that policy is defensible were so clearly and conclusively stated and maintained that it is only necessary to read it to answer every possible criticism that has been made of the general principle of the present bill.

I read from Mr. Wharton's letter:

DEPARTMENT OF STATE, Washington, December 10, 1892.

SIR: I have the honor to acknowledge the reception of your two notes of the respective dates of November 7 and November 11, 1892, concerning the recent legislation of the Congress of the United States "in respect to Chinese subjects" in this country.

In the former of these two notes you refer to certain unanswered notes of your predecessor and of yourself as containing a full discussion of the provision of the act of Congress approved October 1, 1888. That statute was brought about by the regrettable failure to complete the treaty signed at Washington March 12, 1888. It does not seem necessary at this late date to discuss the circumstances under which the treaty of 1888 failed, or to conjecture whether, had it been duly perfected, it would have served to avert the difficulties or meet the issues which have since arisen. That the failure of that treaty, through the withholding of the Imperial ratification, exerted a prejudicial influence upon American sentiment thereafter is hardly open to doubt.

Neither does it seem necessary to the present object to enter into a full historical and analytical review of the variant conditions which have existed in the United States and China since the first treaties were signed in regard to the treatment of aliens. It would not be difficult to show that from the outset the position of the foreigner in China has been one of violation and exclusion, his rights being limited under treaties to certain specified objects within the narrow limits of the treaty ports, and extended only at the will of the Chinese Government to residence and travel in the interior. The foreign States, by their compacts with China, have implicitly recognized the inherent right of that Empire to regulate the domicile and business of aliens within its borders by soliciting and obtaining from China the limited privileges expressed by the formal treaties and the expanded privileges growing out of them. Nor would it be difficult to argue with convincing force that the application of this right by China is governed in its manifestations by the inherent immiscibility of the Mongolian and Caucasian races. As are all Europeans to the native Chinese communities, so are the Chinese to the communities of European blood—a people apart, not willing to be engrafted upon the national life, and dwelling under the special license of an artificially created necessity.

Reserving, therefore, all considerations of these aspects of the general question I confine this communication to the precise points you make touching the recent legislation of Congress renewing the acts passed for the execution of the treaty of 1880. Those acts being limited in their effects to a fixed term of years, which, in the judgment of Congress came to an end in May last, it became necessary to reenact them for a further term, with such safeguards as experience should have shown to be needful. While more precisely providing for the exclusion of new-coming Chinese laborers from our shores, in pursuance of a policy in regard to which the negotiations of immediately preceding years had shown the two Governments to be in substantial accord, the new legislation aimed to meet the case of the Chinese subjects actually residing and laboring in the United States by providing the means whereby their right to remain and enjoy the privileges of residence stipulated in the existing treaties should be confirmed to them by an orderly scheme of individual identification and certification. The statute as completely aims to protect the persons and rights of all Chinese persons entitled to residential privileges as it does to prevent their fraudulent enjoyment by those not entitled thereto.

You are pleased to state that the proceedings which led to this legislation itself were not required by any existing emergency that had arisen between the two nations, but in this you overlook the circumstance that the theretofore existing temporary legislation under the old treaties was about to terminate by its own time limitation, as also the fact that the abrupt failure of the negotiations for a fuller international accord on the general subject had not only devolved upon the Congress of the United States the necessity for dealing with the matter by the municipal resorts pertaining to sovereignty, but had moreover aroused an unfortunate belief that the attitude of China was obstructive and the claims of China unreasonable. That this belief is without solid foundation I am happy to assume; that it did exist, and under the circumstances with good show of reason, must be frankly admitted.

Much of the argument in the preceding notes of your legation, to which you refer and which you incorporate in your present notes, rests upon the assumed claim that the status of Chinese subjects with respect to the body politic of the United States is on the same footing as that of all other aliens of whatever nationality. Neither in the light of international reciprocity nor in that of municipal sovereignty can these assumptions hold good. The restrictions upon foreigners in China are special and onerous as to vocation, residence, and travel, and are based on the natural barriers which seem to forbid the assimilation of the foreign element with the native Chinese race.

This condition of immiscibility is likewise as forcibly present in the case of Chinese in the United States as it is generally absent in regard to aliens of the same race and blood as our own. It is the inherent prerogative of sovereignty to take cognizance of such incompatibilities and to provide special conditions for the toleration of the unassimilable element in the national community. China's treatment of foreigners can only be justified on such grounds. Moreover, this sovereign right is freely exercised by the United States in the adoption of restrictive or discriminatory legislation in regard to any classes of alien immigration whenever the exigencies of the public interests demand and to whatever extent may be requisite.

The Supreme Court of the United States has spoken to the same effect and with equal force. In the Chinese-exclusion case, reported in 130 United States, at page 581, Mr. Justice Field, delivering the opinion of the court, uses this language:

To preserve its independence and give security against foreign aggression and encroachment is the highest duty of every nation, and to attain these ends nearly all other considerations are to be subordinated. It matters not in what form such aggression and encroachment come, whether from the foreign nation acting in its national character or from vast hordes of its people crowding in upon us. The Government, possessing the powers which are to be exercised for protection and security, is clothed with authority to determine the occasion on which the power shall be called forth; and its determination, so far as the subjects affected are concerned, are necessarily conclusive upon all its departments and officers. If, therefore, the Government of the United States, through its legislative department, considers the presence of foreigners of a different race in this country, who will not assimilate with us, to be dangerous to its peace and security, their exclusion is not to be stayed because at the time there are no actual hostilities with the nation of which the foreigners are subjects. The existence of war would render the necessity of the proceeding only more obvious and pressing. The same necessity in a less pressing degree may arise when war does not exist, and the same authority which adjudges the necessity in one case must also determine it in the other. * * *

The power of the Government to exclude foreigners from the country whenever, in its judgment, the public interest requires such exclusion has been asserted in repeated instances, and never denied by the executive or legislative departments.

In a communication made in December, 1852, to Mr. A. Dudley Mann, at one time a special agent of the Department of State in Europe, Mr. Everett, then Secretary of State under President Fillmore, writes:

"This Government could never give up the right of excluding foreigners whose presence it might deem a source of danger to the United States. Nor will this Government consider such exclusion of American citizens from Russia necessarily a matter of diplomatic complaint to that country."

In a dispatch to Mr. Fay, our minister to Switzerland, in March, 1856, Mr. Marcy, Secretary of State under President Pierce, writes:

"Every society possesses the undoubted right to determine who shall compose its members, and it is exercised by all nations both in peace and war."

"It may always be questionable whether a resort to this power is warranted by the circumstances, or what department of the Government is empowered to exert it; but there can be no doubt that it is possessed by all nations, and that each may decide for itself when the occasion arises demanding its exercise."

In a communication in September, 1860, to Mr. Washburne, our minister to France, Mr. Fish, Secretary of State under President Grant, uses this language:

"The control of the people within its limits and the right to expel from its territory persons who are dangerous to the peace of the state are too clearly within the essential attributes of sovereignty to be seriously contested. Strangers visiting or sojourning in a foreign country voluntarily submit themselves to the laws and customs, and the municipal laws of France authorizing the expulsion of strangers are not of such recent date, nor has the exercise of the power by the Government of France been so infrequent, that sojourners within her territory can claim surprise when the power is put in force."

Mr. President, I do not think the policy of this bill can be successfully questioned, either from the standpoint of the interests of our own people, or from the standpoint of that comity which we owe to the Government and the people of China. We have a perfect right, without offending against any just demand of China, to enact the bill into law, and we would be recreant to our own people and to the high civilization which has made them what they are if we did not enact it into law. Believing that these facts are generally recognized in both branches of Congress, I pass now to a consideration of some of the features of the bill. Generally speaking, the bill is a compilation and revision of existing laws, and of Treasury regulations made pursuant to law and having the force and effect of law, with some liberalization concerning the excepted classes that may come into our country. In confirmation of this statement I invite Senators to examine the provisions of this bill and the corresponding provisions of existing laws and regulations, printed in parallel columns, and found in Senate Report No. 776, pages 150 to 214, both inclusive.

I have the book here; it is easily accessible to all Senators, and I am satisfied that if they will procure it and examine the parallel columns, showing the present law and the proposed legislation, they will see that there is nothing in the claim that the present bill is any more harsh in its provisions than those under which our country has been proceeding for the last twenty years or ever since the policy of Chinese exclusion was entered upon.

For instance, as the Senator from New Hampshire [Mr. GALLINGER] was proceeding this morning with his several complaints as to the peculiar hardships of the bill, I turned to the part of the report to which I have referred and readily saw in the reprint of the present laws or of the present Treasury regulations therein set forth provisions in every respect identical with the things which he complains of as being in the proposed law.

Mr. CLAY. Will the Senator from Washington allow me to ask him a question?

Mr. TURNER. Certainly.

Mr. CLAY. Has the Senator carefully examined the provisions of the treaty of 1894 and compared them with the present bill, and does he think there is any conflict between the terms of the treaty of 1894 and this bill? That is the only question about which I worry.

Mr. TURNER. I have examined them with some particularity. I do not find that there is any conflict at all. For instance, the Senator from New Hampshire complained that the bill restricted the right to come to our country to five classes other than laborers, to wit: Officials, teachers, students, merchants, travelers for curiosity or pleasure, and said this was contrary to the letter and spirit of the treaty of 1894, and limited the rights of all others to come who would have the right to come under the treaty, to wit: Merchants, bankers, and others of that class. By turning to page 155 of this report it will be seen that by section 4 of the present bill the right of the excepted classes is confined to officials, teachers, students, merchants, and travelers for curiosity or pleasure. Now, in the parallel columns I find printed article 3 of the convention of 1894 with China, from which I read:

The provisions of this convention shall not affect the right at present enjoyed of Chinese subjects, being officials, teachers, students, merchants, or travelers for curiosity or pleasure.

Exactly the language of this bill.

There was some controversy between our commissioners and the diplomatic functionaries of China as to the particular wording of this section of the treaty, but it was finally boiled down into this shape, and the express mention in the treaty of those classes who are to be permitted to come here, limiting it to officials, travelers for curiosity or pleasure, merchants, students, and teachers, is a treaty recognition of the fact that those only are the classes who are to be permitted to come here.

The principle of construction, *expressio unius est exclusio alterius*, applies to the construction of treaties as to laws, and when China expressly undertook to provide the particular class of persons who might come here she impliedly acquiesced in the exclusion of all others. And that has been the construction of the courts, the construction of the executive officers of the Government, and the construction which China herself has put upon the treaty.

Mr. CLAY. I should like to ask the Senator a question. I believe the bill provides that a child born of Chinese parents in our insular possessions after the passage of this act shall not come into the United States. I should like to ask the Senator's views in regard to that point.

Mr. TURNER. If the Senator will excuse me at this point, I will get to that a little further on.

Mr. CLAY. Very well.

Mr. TURNER. Here is the language of the act of 1888. The Senator from New Hampshire claims that this is a stringent measure, going much beyond other laws, but the law of 1888 provided:

That Chinese officials, teachers, students, merchants, or travelers for pleasure or curiosity shall be permitted to enter the United States, but in order to entitle themselves to do so they shall first obtain the permission of the Chinese Government or other government of which they may at the time be citizens or subjects.

Here are the opinions of the Attorney-General of the United States on the subject:

The policy of the Government being against the admission of Chinese laborers, treaty provisions making exceptions should not be extended by construction to cases not falling within the plain scope of the language used. (Opinion of Attorney-General, October 14, 1896; 21-424.)

The true theory of the Federal law is not that all Chinese persons may enter this country who are not forbidden, but that only those may enter who are expressly allowed. (Opinion of Attorney-General, July 15, 1893; 22-130.)

So it will be seen that this particular provision, against which the Senator from New Hampshire declaimed as being illiberal, and as going much beyond what was ever provided for by existing law, is identically what was intended by the treaty of 1894, is identically what was provided by the act of 1888; and both the treaty and the former law have been construed by the Treasury Department and by the Attorney-General to mean exactly that which it is made to mean in the present bill.

The same thing may be said as to the criticisms of that Senator as to the definition of "merchants" and "students" and others, and as to the regulations thrown around their entry and their stay in this country. The present bill is nothing but a reenactment of former laws or former regulations relating to said classes, except that it is liberalized as to merchants.

With the exceptions which I shall presently notice, it is a literal fact that this bill is a reenactment of existing law, and the prime necessity for its reenactment is found in the fact that existing law will expire by its own limitation on the 4th day of next May, and it must be reenacted if we are to have Chinese exclusion after that date. The bill is not the work alone of the California Chinese commission, or of the Pacific coast Senators and Representatives, but the officials of the Treasury Department and of the Department of Justice assisted in framing it. Those provisions,

which seem most harsh, are taken from the regulations framed by those officials and administered by them for the last ten years, and their testimony is strong and emphatic that those provisions are necessary if we are to have any efficient exclusion of Chinese laborers.

The craft and guile of the Chinese and their contempt for the treaty obligations of their own country have made the fullest and most minute and specific provisions designed to carry into effect existing treaty obligations indispensably necessary.

No rogue e'er felt the halter draw
With good opinion of the law.

And probably no Chinaman, in his attempt to evade our exclusion law, ever run up against these full and specific provisions and regulations, or ever will do so, with good opinion of them. But it is a fact that they have all been of force and have been applied for many years without interrupting our friendly relations with China, and there is no good reason to suppose that their continued application and enforcement in the future will have any other or different result. But however that may be, they are essential to the policy of Chinese exclusion, and since that policy is based on consideration relating to our own internal economy, I apprehend that any unfounded views which China might take of our policy and of our just laws designed to enforce it would not be forceful in governing the action of Senators and Members of the House of Representatives.

There is no disposition on the part of the friends of this bill to offend the Chinese by harsh and unnecessary legislation, or to violate any treaty obligation we have with them. Every single provision of the bill is in affirmation of present treaty provisions or designed to secure their faithful observance. It is impossible to read the present existing treaty and say that, either as to the excluded classes or as to the privileged classes or as to the Chinese already in this country, the bill goes beyond the treaty in any single feature prejudicial to the rights of the Chinese. The friends of the bill challenge the most rigid scrutiny in that respect. In this connection it is proper to say that the present treaty with China, which this bill is in aid of, does not expire until the year 1914. It is assumed by many that it expires in 1904, but this is an error. The treaty may be denounced by either China or the United States at the end of ten years from its promulgation, and in that event it will expire in 1904, but in the absence of such action it continues in force for twenty years, or until 1914.

If the present policy of exclusion be continued by the passage of this bill, it is certain that China will not denounce the present treaty, but will permit it to continue in force until it expires by its own limitation. The sure and certain way to invite a denunciation of that treaty in 1904, and thus bring about a condition of affairs which will compel us to choose between a failure to safeguard our own interests or the necessity of violating treaty obligations which would be revived by the denunciation of the present treaty, will be to defeat this measure and adopt a halfway measure indicating to China that we are disposed to conform our exclusion policy to her views and wishes. If this bill be rightly understood, and it is very easy to misconstrue it unless it be carefully studied, I feel assured that only those will vote against it who are, in truth, opposed to any exclusion of the Chinese without the consent of China, and who would a little rather that China would not, than that she would, consent to exclusion.

One of the new features of this bill is found in its second section, which reads as follows:

SEC. 2. That from and after the passage of this act the entry into the American mainland territory of the United States of Chinese laborers coming from any of the insular territory of the United States shall be absolutely prohibited; and this prohibition shall apply to all Chinese laborers, as well to those who were in such insular territory when the same was acquired by the United States as to those who have come there since, and it shall also apply to those who have been born there since, and to those who may be born there hereafter. And the same prohibition of entry shall apply to Chinese laborers coming to one island of the United States from any other insular territory of the United States, except territory of a group whereof such island is a member. But the privileges of transit hereinafter given to other Chinese persons are hereby given to Chinese laborers in all territory of the United States, subject to the conditions hereinafter expressed.

Some of the friends of this bill are reluctant to support it, deeming the section just read, or, at least, some parts of it, to be unconstitutional, but the only provision in the section which presents any constitutional difficulties to my mind is the one forbidding Chinese born in any of our insular possessions since their acquisition by us to come into what is called "American mainland territory" or to go from one insular territory to another. Children of Chinese parentage born in the Philippines since the acquisition of the latter by us would be citizens of the United States under the decisions of our Supreme Court, that is, provided we have, in fact, acquired the islands and extended our sovereignty over them in the sense that our sovereignty is extended over our other Territorial possessions.

As to all other classes prohibited by section 2, there is no constitutional difficulty in my judgment. They have none of them

yet become citizens of the United States, and they may never become so, and until they do become citizens, if they ever do, Congress may constitutionally limit their right to be or remain in any part of the Territories of the United States. We have seen this proposition declared and the reasons for it stated in the Chinese-exclusion case reported in 130 U. S., from which I have heretofore read. No person in the Philippine Islands, I apprehend, has become a citizen of the United States by reason of the mere fact of the cession of those islands to us. Under the principles of international law, natives of the islands would have become citizens by the mere cession of the islands but for the fact that the treaty of cession provided a different rule, as it was competent for it to do. That treaty left the status of the inhabitants to be fixed by the Congress of the United States, and citizenship or no citizenship is a part of the political status of that people, and a part of it which yet remains to be fixed and determined. It would be barbarous, however, to hold those islands and deny to the inhabitants of native blood the rights of citizenship, and I do not apprehend that that will ever be done.

But we are under no obligations, either legal or moral, to take in the Chinese who are there, and I do not apprehend that that will ever be done. So that none of the classes prohibited by section 2 of the bill, unless it be children born in the Philippines since the acquisition of the islands by us, are either now citizens or are likely to become such by the action of Congress. It follows, therefore, that we may constitutionally limit their right of locomotion as the interest or safety of our country may seem to require. This does not involve the question, so much discussed, whether the Constitution of the United States extended to the new Territories immediately on their acquisition by us. The positions that I have taken are not affected by that question. They are correct, if correct at all, even with that instrument in full force in the Philippines, because the Constitution does not undertake to define the political status of the inhabitants who come to us along with newly acquired territory. This status is fixed by international law, with the qualification that the treaty of cession may override the international law, and that the action of Congress, after the acquisition, may override both. Some distinguished lawyers, in discussing this question, have assumed that the application of the Constitution to our new possessions depended on the question of the citizenship of the inhabitants. I do not think there is anything in that position. In a speech delivered in this Chamber on March 13-14, 1900, I said, in discussing that question:

But are the principles of constitutional government which were laid down by our fathers dependent on the citizenship of all or any part of the people of territory covered by our flag? If so, how many native or naturalized Americans must go to such territory before it is covered with the protecting mantle of the Constitution? Would not one be as effective for that purpose as a million? I respectfully submit that the Constitution does not depend for its effect on the peripatetic tendencies of the American people. While it was made primarily for the American people and their posterity, it embraces and covers and protects all people without regard to nationality who are residing temporarily or permanently under the shadow of the American flag. This proposition has been determined so lately and so authoritatively that I need not refer to the cases establishing it. The Senator from Kentucky, like everybody else who maintains his side of this question, persistently confuses political rights, which belong to the citizen alone, with those constitutional safeguards for personal right and equal governmental burdens, which belong, under our Constitution, to everybody within the territorial dominion of the United States. What political rights, if any, the inhabitants of Territories shall enjoy, and what the form of government through which they shall be enjoyed, whether it shall be simple and arbitrary, like that devised originally for Louisiana, or complex and liberal, like that lately adopted for Hawaii, is absolutely within the discretion of Congress.

The decisions on the subject are too many and too positive to permit the proposition to be doubted; and it is in this sense that the Supreme Court has been speaking in every case where it has declared the power of Congress over the Territories to be plenary and unlimited. But on the subject of those governmental burdens which the genius of our institutions require to be equal everywhere, and the withholding of which led to the establishment of our Republic, and on the subject of life, liberty, and property and the full and perfect enjoyment thereof, Congress, in legislating for the Territories, is subject to all the limitations of the Constitution. The decisions on this subject are likewise too many and too positive to permit the proposition to be doubted, save by those who, "having eyes, see not, and having ears, hear not."

Mr. President, I have heard nothing in the full and ample discussion of the subject which we have had in Congress and have seen nothing in the opinions of the court rendered in the insular cases which has induced me to modify the views expressed in the speech from which I have quoted. On the other hand, further consideration and reflection has only tended to confirm my conviction that they are sound and correct.

If I am right thus far, then the only provision of section 2 which can be questioned from a constitutional standpoint is that one limiting the rights of children of Chinese parentage born in our insular possessions since we acquired these possessions. But as to such inhabitants, since their parents can not come here, and they are not likely to come of their own accord until they reach the age of puberty, it will be in the neighborhood of twenty years before the question of their rights can ever become practical and concrete. Before any of them can ever have any interest which will be affected by this section the questions upon which their

right will depend will have been determined and settled by our courts, and nothing in this bill will affect them one way or the other. The question to-day is abstract and speculative.

In view of the character of the legislation being put on our statute books every day concerning our insular possessions, to object to this most wholesome and necessary measure because of one abstract feature, small and insignificant in itself, is something like swallowing a camel and straining at a gnat. Besides all this, however clear any of us may be in our views of constitutional law applicable to our new possessions, it must be admitted, in view of the expressions in the decisions of our court of last resort, that the ultimate determination of all these constitutional questions is involved in doubt and obscurity. Let us not, then, foreclose the just interests of our own countrymen in deference to supposed rights of alien blood, which may be found ultimately to have had no existence, and which, if they do exist, will be fully established by our courts long before the rights can ever be asserted. And, finally, I have an abiding faith that no long time is destined to elapse before justice and expediency will be found running in parallel lines in the policy to be pursued by this country toward the Philippine Islands.

When that day comes we will freely accord to the Philippines that liberty and independence which they fairly won from Spain, and which we have thus far so unjustly withheld from them. We will certainly do this if it shall ever be adjudicated by our court of last resort that they are a conduit through which the population of China may filter into the United States; and for this reason I do not think the question of the rights of the Chinese children, of tender years, born in the Philippines, is of any great moment, or at least of sufficient moment to justify legislators in voting against any feature of this most necessary and well-considered bill. In conclusion upon this point I beg leave to read to the Senate from the powerful presentation before the Senate Immigration Committee, made by Mr. Livernash, of the California Chinese commission. I confess that this presentation overcame any scruples I had entertained concerning the features of the bill which I have been discussing, and I hope and believe it will be equally effective with others entertaining the same scruples.

I read from Senate Report No. 776, part 2, pages 80, 81, and 82:

We are not unmindful of the difficulties of the proposal that freedom of locomotion be limited.

We are aware that some gentlemen very sincerely differ with the proponents of the theory that the Congress can constitutionally say to Chinese persons lawfully in the Philippines, "You may remain in the archipelago, but you may not enter the continental dominion of the United States."

We are aware also that some who feel that the Congress can lawfully say this to a Chinese person who has entered the Philippines since the cession of islands to our Government think that the National Legislature can not lawfully say it to a Chinese person who was an inhabitant of the Philippines at the time of the cession, though not a native.

We are yet further aware that some believe the Congress can say this lawfully to Chinese persons who, not being natives of the islands, were therein at the time of the cession or have properly come there since, but can not constitutionally say it to a native of the archipelago.

These difficulties are some of the number arising from the very nature of the attempt to hold the Philippines domestic for some purposes and foreign for others.

However, we are assuming that the majority, at least, in this Congress is proceeding on the theory that the Congress has the full right to fix the status of even the natives of the Philippines, and that, independently of Congressional action, the people of the Philippines have not been incorporated into the body of American citizens; and we are assuming that the minority, while holding that the Constitution in its full vigor follows the flag, and that the Congress, itself a creature of the Constitution, has not the power to withhold from or to legislate into any territory whatsoever under our flag the Federal organic law, or to strain or modify in any particular whatever the basic theory of our Republic as expressed in the Declaration of Independence, nevertheless does not desire to prevent the endangered Pacific States from taking the theory of the majority in its fullness and having it passed upon not by the legislators, but by the judges, of the Republic.

We represent, in pursuant to this line of argument, that it is the duty of Congress—forever pledged, we feel, to a policy of excluding Chinese laborers from competition with our own Caucasians—that it is the duty of the Congress to retain for us all of the debatable ground upon the difficult constitutional questions proposed, questions which are doubtless in the minds of every member of this Congress who has given the subject any thought.

It is not for the Congress of our country to take away from us the chance of having our day in court, and fighting for the protection of the States along the Pacific seaboard. Those States are no more responsible than any other States of this Union for the unhappy conditions out of which came the cession of the Philippine Islands to our country. But those States, more than any other States in all the Union, are entitled, by virtue of their long suffering under Chinese immigration and by their proximity to the Asiatic mainland, to come to the Congress and insistently to demand, with hopefulness, that the Congress shall strain every point within its power in favor of the doing of those things that must be done under the unfortunate conditions in order to give to the people of such States, and in a secondary sense to the people of all the other States, sufficient protection against the evil the exclusion policy was designed to terminate.

Those gentlemen who can dispute with us the constitutional points involved, and who put the subjunctive mood into all their discussion—as, for example, "If the courts hold thus," and "If the courts hold so"—have, as fair Americans, foreclosed themselves from denying to us that which we are here insisting we have a right to be given. Their very subjunctive, proposing that there is doubt as to the constitutional powers of this Government to do the thing needful, is the argument we base ourselves upon when we say to you, "Give us all the doubtful ground and let us hold it forever, if may be, but at least until the judicial arm of the Government deprives us of some or all of it." And if we hear from the judges that we can not, under our

system of government, gain that protection constitutionally which our civilization requires, then we will address ourselves as sovereign States and citizens of sovereign States to the large and momentous business of persuading the American people that when the nation brought a quasi-Chinese colony under our flag, against which the Congress was powerless to protect our mainland and our Caucasians, then that nation did a thing which must be reconsidered, and the relations of our mainland to the endangering Asiatic archipelago must be changed.

It is beyond question the duty of the Congress, and certainly of its Senatorial branch with its vote on the Hawaiian annexation question and its ratification of the treaty of Paris and its adoption of the joint resolution I have read, to hold for us every inch of debatable ground.

Another new feature of this bill is that found in the last two clauses of section 39:

And it shall be unlawful for any vessel holding an American register to have or to employ in its crew any Chinese person not entitled to admission to the United States or into the portion of the territory of the United States to which such vessel plies; and any violation of this provision shall be punishable by a fine not exceeding \$2,000.

But said penalty shall not accrue in the case of any such vessel which shall suffer the loss of a portion of her crew by reason of distress or stress of weather in any foreign jurisdiction or port and shall be compelled thereby to employ Chinese seamen to complete her complement of officers and men: *Provided*, That to relieve from said penalty in such case it shall be shown to the satisfaction of the appropriate Treasury officer that in such foreign jurisdiction or port no seamen other than Chinese were obtainable, and that every such Chinese seaman was discharged from the service of such vessel immediately upon the arrival thereof at the first port where seamen other than Chinese could be obtained, and that if so discharged at any port under the jurisdiction of the United States no such Chinese seaman was permitted to depart from such vessel, but that each such Chinese seaman was forthwith transported as a passenger on such vessel, and at the expense thereof, to a foreign port, and that no such Chinese seaman did reenter the service of such vessel after such discharge.

These provisions of the bill have been severely assailed on the ground that they put our American vessels plying on the Pacific Ocean at a disadvantage with the vessels of other nations. For mercy sake let us preserve a reasonable consistency. This Chamber has hardly ceased to resound with the demands of ship-subsidy advocates for an American merchant marine manned by Americans who could fight the country's battles, and to get such a marine and to stimulate the employment of native Americans therein, at living American wages, the ship-subsidy bill was passed. That bill is pending in the other House, and will most likely be passed there, as it is an Administration measure, and the Administration has a majority in that House.

It does not seem unfair, in view of the enormous bounties we are about to pay, that the steamship companies be deprived of the right to employ cheap Asiatic labor. It does not seem out of place, if the principle of Chinese exclusion be a sound one, to extend it to the decks of our ships, which in law are as much a part of our territory as any part of our soil. To do so serves the twofold purpose of protecting our sailors from cheap Asiatic competition and of building up for the defense of our country in time of need a loyal, patriotic American naval reserve. No one can question the desirability of doing both of these things, nor can anyone question the absolute necessity of doing the last one, if we are to maintain our naval supremacy in time of war. While some of us in this Chamber were opposed to the ship-subsidy bill, it was not on the ground that a merchant marine manned by Americans was not necessary, but on the ground that the object could better be accomplished in another way. But having undertaken to accomplish it by subsidies, it does seem remarkable that the very men who have been clamoring for subsidies in order that they might pay living American wages to American seamen should now come here and clamor for the right to employ Chinese seamen at Chinese wages. They should either give up their subsidy or give up their Chinamen.

Mr. Evarts, speaking for the Pacific Mail Steamship Company before the Senate Committee on Immigration, complained that this provision would cost his company \$200,000 a year. The subsidy which his company will receive under the terms of the subsidy bill that passed this body will amount to double that sum. But if his company did not receive a cent it would have no right to complain. No vessel should be permitted to run under the American flag which is not manned with efficient seamen, and the Chinese are not and never will become efficient and trustworthy in times of stress and peril.

Let me read on this subject from the testimony of Mr. Andrew Furuseth, one of the representatives of the California Chinese Commission, himself a practical sailor and the representative of the Pacific Coast Sailors' Union (Senate Hearing, pp. 247, 248):

As such, we could point to the notorious unreliability of the Chinese and other Asiatics in times of emergency on shipboard.

This characteristic has been demonstrated on numerous occasions—in fact, in every case of wreck or other serious accident. By way of illustration we would cite the case of the collision between the steamers *City of Chester* and *Oceanic* in the Golden Gate some years ago. The former vessel, manned by American seamen, sank with great loss of life. The *Oceanic* (chartered by the Pacific Mail Steamship Company), though little damaged, rendered practically no assistance to the sinking vessel, for the reason that her Chinese crew became terror-stricken and were unable to launch the boats. The American seamen and firemen of the *City of Chester* had actually to make their way to the Chinese-manned vessel and launch the latter's boats, and by so doing managed to save many lives that would otherwise have been lost through the inefficiency and cowardice of the Chinese. The *City of Chester*

belonged to what we called the good old Perkins boats; that is, the Pacific Coast Steamship Company's line coastwise boats.

Coming down to the recent loss of the Pacific Mail Steamship Company's steamer *City of Rio de Janeiro* in the harbor of San Francisco, it will be remembered that that vessel remained above water for fifteen or twenty minutes after striking, thus affording ample time to get the boats overboard and secure the lives of the passengers. In this case, too, a panic occurred among the Chinese crew, with the result that 127 lives were lost, including the greater number of passengers, many of whom were women and children. Only one boat was launched, and that was captured by the Chinese, in utter disregard of the lives entrusted to their care.

As another instance of the inefficiency of the Chinese, we may refer to the experience of the transport *Lenox*, which was disabled off the Pacific coast in the last days of July of last year. She was a United States transport, and yet, with all that she carried a Chinese crew. Her Chinese crew refused to go in the boat to the coast to bring assistance.

A volunteer boat's crew consisting of Caucasian seamen, just discharged from the Navy, and other passengers performed the duty which the Chinese crew refused to perform. As reasons for carrying Chinese and other Asiatics it is claimed that "they are cheaper," "give less trouble," and that "they are more amenable to discipline"—under ordinary conditions.

I conclude, then, Mr. President, that the complaint against this section is without just foundation. Justice to our native sailors demands it. The interests of the Government demand it. The rights of passengers on American vessels, whose lives are dependent on the efficiency of the seamen employed, demand it. And, finally, the bounty of our Government to our American vessels justify us in requiring and compelling it.

Mr. President, I shall not spend much time in discussing the commercial aspect of Chinese exclusion. Representatives from some of the commercial bodies of the country appeared before the Senate committee and urged care and prudence in the framing of this bill, on the ground that our commerce with China was increasing, and that it might be injured by injudicious legislation. The committee was not unmindful of this great interest, and did exercise all the care and prudence possible to avoid unnecessarily harsh measures against which China would have a right to protest. But the committee felt it to be a duty to our own people and to our own civilization to make the bill one which would be effective in carrying out the policy of Chinese exclusion.

Since the substantive features of the bill were all in harmony with existing treaty provisions, and the other features were all in aid of the substantive provisions, and all had been enforced for twenty years without material friction between the two countries, it was felt that their reenactment at this time offered no menace to our good relations with China, or to the continued expansion of our trade there. This was felt all the more strongly because statistics established that from 1882, when the policy of Chinese exclusion was entered on, down to the present time, our exports to China had grown from 3,277,000 haikwan taels in 1882 to 22,289,000 haikwan taels in 1899. The exports fell off to 16,724,000 haikwan taels in 1900, owing to the Boxer disturbance in China that year. The growth of both exports and imports was from 11,697,000 haikwan taels in 1888 to 43,975,000 haikwan taels in 1899.

The tael is not a coin, but is a weight of silver, averaging 1½ ounces, and is worth in American gold the value of 1½ ounces of silver. This was 72 cents in 1897. Transforming the tael into American gold, our exports to China increased from \$2,359,440 in 1882 to \$16,048,080 in 1899. Exports and imports aggregated increased from \$8,421,840 in 1888 to \$31,662,000 in 1899. Results speak more loudly than theories, and judging by these results the apprehensions which our commercial interests have felt and expressed growing out of the present proposed legislation are without substantial foundation. But if it were otherwise, what conscientious, patriotic citizen is there in this land who would have us falter in the prosecution of our national policy at this time? Dollars and cents are well enough in their way, but a citizenship with morals unperverted and hope unimpaired, happy, healthy, content, and patriotic under the provident care of wise, just, and liberal government so far outweighs the dross of gold and silver that the two considerations ought not to be mentioned in the same breath.

It appears to be thought by some that a short bill, providing for the continuance of present restriction laws during the life of the present treaty with China, is all that is required at this time. The bill framed by the Senator from Connecticut [Mr. PLATT] and offered by him as a substitute for the present bill proceeds undoubtedly on that theory. But there are a number of reasons why such legislation is inefficient, and, without regard to its efficiency, impolitic.

First. The present laws are scattered through half a dozen different enactments, are difficult for the ordinary practitioner to find, and when found it is sometimes difficult to reconcile all their provisions. The Treasury regulations are still more difficult to find. They are not contained in any general publication. All the provisions of law, and the Treasury regulations having the force and effect of law, ought to be revised, codified, and combined in a single enactment. That is what the present bill does, and the advantages of it are so obvious that I need not undertake to enforce them on the Senate.

Second. The act of 1888, known as the Scott Act, which contains important and necessary provisions, is now being attacked in the Supreme Court of the United States on the ground that it was enacted in contemplation of the ratification of the Chinese treaty of 1888, and since that treaty failed by reason of the failure of China to ratify and proclaim it, it is claimed that the act of Congress based on it and intended to carry out its provisions must fail and be declared of no force. There is much reason to believe that the contention is well founded. Some of our own officials have so maintained. It is manifest, then, that the provisions of the act of 1888, if that act be declared of no force, would not be continued in operation by a mere declaration continuing in force all the provisions of existing law.

Third. The Treasury regulations are likewise being attacked in the Supreme Court, and the ground urged is that there is no specific provision of existing laws authorizing the making of such regulations. While the treaty of China contemplates the making of such regulations, it is urged that the laws have not reposed the power to make and declare them in any particular officer, and hence, in enforcing Chinese exclusion, we can not look for means and methods beyond the terms of the law and the treaty. This contention, if sustained, would have the effect, practically, to break down Chinese exclusion, and it is being urged in a number of cases by Chinamen at the instance and with the assistance of the steamship companies and the transcontinental railway companies. This offers an additional and most conclusive reason for incorporating these Treasury regulations into the body of our statutes.

Fourth. The present exclusion treaty with China does not expire until 1914, but it may be denounced by either Government in 1904, and it is then and thereby terminated. The passage of any law at this time running with the life of the treaty and terminating when it does is an invitation to the Government of China to denounce and thereby terminate the present treaty.

Fifth. The passage of such a law is equivalent to the adoption of a policy unfavorable to Chinese exclusion except by permission of China. It will be so regarded by China and will be so regarded, and justly so, by our own people. It would give rise to agitation and unrest on the Pacific coast. It would disturb the present harmonious relations between capital and labor under which that coast is making such giant strides of progress. It ought not to be adopted, and unless it be the policy of the dominant political party to break down Chinese exclusion it will not be adopted.

Mr. President, this measure is not in the interest of the Pacific coast alone. It is in the interest of the health and the morals and the civilization of the entire country. I include civilization with health and morals because a high civilization in any country is dependent on a high state of health and morals. I include it, moreover, because our civilization, the most splendid in the world and offering most of hope to the world, is built up and maintained and will be continued on the dignity which attaches to and belongs to human labor.

The yellow hordes of China, pressed from within and dazzled by the unexampled opportunities which the rapid development of our virgin resources offer, will in time invade and take possession of every part of our land if given the opportunity. The first wave will break on the Pacific coast, but wave will succeed wave until the entire continent is inundated and overwhelmed. We have had a sufficient experience of the evil on the Pacific coast to make us keenly alive to the multiplied evil which will certainly follow the breaking down of our present exclusion policy. And since we have suffered, and will be the first to suffer further, we feel that we have a claim now and here in this matter to the broad, generous, and humane consideration of our countrymen throughout the entire land, and to that of their Representatives in Congress.

We appeal confidently, then, to the representatives of all sections of the country and of all political parties to stand with us in the enactment of this wise and just and most necessary legislation. We appeal with especial confidence to our friends from the South, who have in their body politic a growing cancer second only in virulence to that which would be fastened on the Pacific coast by a further propulsion to their shores of the pagan hordes of China. The Caucasian and the Mongolian are as far apart as the Caucasian and the Ethiopian. We have had the race problem with us from the beginning as the result of the presence of the Ethiopian. It kept us in turmoil for half a century and came near destroying the integrity of the Republic. It is with us still and is taking new and added and deplorable forms, bringing misgivings and forebodings to the minds of thoughtful men everywhere. How it will end no man can foresee, but one thing is certain, since the black man is nonassimilable and can not reach up to the standard of the Caucasian, nor pull the latter down to the level of the Ethiopian, he will remain a disturbing factor in our nationality so long as he remains one of its constituent elements.

In the name of American progress and American civilization

let us avoid adding another such plague spot to the body politic. We may feel kindly toward the Government and the people of China, and may manifest our feeling in many ways besides that of absorbing her toiling millions to the hurt and injury of our own Government and our own people. We have lately manifested our friendly disposition toward China in a most substantial manner, and, if reports be true, she entertains a lively sense of gratitude toward us for our conduct. I hope we will always continue to manifest such a disposition, but it must be on broad lines. There must be no lowering of the American standard out of complaisance to that country or any country. Our standard must be raised rather than lowered. It is high now, but it can be raised still higher. With wisdom to see and courage to act, the height to which we may grow as a nation in affluence and power, in culture and refinement, and the influence for good which we may diffuse as the result of our splendid example is beyond anything that the mind of man has ever conceived. Let us have the wisdom to see and the courage to act now, that this glorious consummation be not hindered or impaired.

INDIAN APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11553) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. STEWART. I move that the Senate insist on its amendments disagreed to by the House of Representatives, and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. STEWART, Mr. PLATT of Connecticut, and Mr. RAWLINS were appointed.

HOUSE BILL REFERRED.

The bill (H. R. 11535) for the protection of game in Alaska, and for other purposes, was read twice by its title, and referred to the Committee on Forest Reservations and the Protection of Game.

MASONIC FAIR AND EXPOSITION.

The joint resolution (H. J. Res. 173) to authorize the Commissioners of the District of Columbia to issue certain temporary permits was read twice by its title.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from North Dakota [Mr. HANSBROUGH] to the joint resolution. The Senate yesterday passed a joint resolution of precisely this nature, which has not yet gone to the House of Representatives.

Mr. HANSBROUGH. I am not familiar with the subject, and I think perhaps the joint resolution had better be referred to the Committee on the District of Columbia.

Mr. SPOONER. I suggest that it had better lie on the table for the present.

Mr. HANSBROUGH. Or, as is suggested by the Senator from Wisconsin, perhaps the joint resolution had better lie upon the table.

Mr. SPOONER. In connection with it, I will suggest that the joint resolution which was passed yesterday, and which has not yet been sent to the other House, be retained by the Senate.

The PRESIDENT pro tempore. It will be withheld from the House of Representatives until some member of the Committee on the District of Columbia is present who is familiar with the subject.

Mr. McMILLAN subsequently said: I ask the Chair to lay before the Senate the joint resolution (H. J. Res. 173) to authorize the Commissioners of the District of Columbia to issue certain temporary permits, and that it be put upon its passage.

The PRESIDENT pro tempore. The Senate passed a joint resolution yesterday of exactly the same nature, which is now on the table. If there is no objection the joint resolution is before the Senate as in Committee of the Whole.

Mr. HOAR. Let it be read for information.

Mr. McMILLAN. We passed the same joint resolution yesterday.

The PRESIDENT pro tempore. If there be no objection, the joint resolution is in Committee of the Whole, and will be read.

Mr. HOAR. I ask that it be read for information before unanimous consent is given.

The PRESIDENT pro tempore. The joint resolution will be read for information.

The joint resolution was read, as follows:

Resolved, etc., That the Commissioners of the District of Columbia are hereby authorized to permit electric-light wires to be laid in existing con-

duits and house connections between such conduits and Convention Hall, to be made for the purpose of supplying additional light for the Masonic fair and exposition of 1902: *Provided*, That all such wires shall be removed on or before May 10, 1902.

The PRESIDENT pro tempore. Is there objection to the consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. McMILLAN. I move that the votes by which the joint resolution (S. R. 76) to authorize the Commissioners of the District of Columbia to issue certain temporary permits was ordered to a third reading and passed be reconsidered.

The motion to reconsider was agreed to.

Mr. McMILLAN. I move that the joint resolution be indefinitely postponed.

The motion was agreed to.

REPORT ON FRAUDULENT ENTRY OF CHINESE LABORERS.

Mr. PATTERSON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury is hereby directed to transmit to the Senate a copy of an official report made to the Treasury Department by James R. Dunn, covering the development of importing into the United States Chinese laborers in the guise of members of the exempt Chinese classes, the same being a report referred to in the letter of said James R. Dunn to Hon. Boies Penrose, United States Senate, under date of April 8, 1902.

CHINESE EXCLUSION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent.

Mr. ELKINS. I wish to offer an amendment to the pending bill. I ask that it be printed and lie on the table.

The PRESIDENT pro tempore. The Senator from West Virginia offers an amendment to the pending bill, which will be printed and lie on the table.

Mr. DILLINGHAM. Mr. President, some days ago, soon after this bill was made the unfinished business, I presented quite a large number of proposed amendments, which were ordered to be printed. I did it at that time for the purpose of bringing to the attention of the Senate sundry provisions of this bill which to me seemed objectionable.

I am heartily in favor of a law which will exclude Chinese laborers as provided in the treaty of 1894 between the United States and China. I shall gladly vote for any substitute bill that may be presented which, in effect, continues in force or reenacts what is known as the Geary law. I shall vote for it because I believe that law has been effective, its purpose has been accomplished, and because it is without objectionable features; and if there have been objectionable features in its administration, they can be easily remedied.

In discussing this bill I propose to do it in a general way, and with the purpose of inquiring why it becomes necessary to adopt a measure 50 pages in length, and to enact into law so many provisions which are now merely the regulations of one of the departments of Government, a department fully able, when a law is declared, to make and remake regulations as circumstances may require.

When the present session of Congress opened, I think it was the general impression among thinking men that the Geary law should simply be reenacted. I notice, in looking over the files, that bills substantially for that purpose were offered by a large number of Senators; for instance, by the Senator from Pennsylvania [Mr. PENROSE], the Senator from Massachusetts [Mr. LODGE], the Senator from Indiana [Mr. FAIRBANKS], the Senator from Nevada [Mr. STEWART], the senior Senator from Vermont [Mr. PROCTOR], the Senator from Oregon [Mr. MITCHELL], and by the Senator from Utah [Mr. RAWLINS]; and, so far as I now remember, all of those bills were in effect to reenact the Geary law.

I do not find, on examination of the record which has been sent in by the Committee on Immigration, that anyone who is now urging the adoption of the present bill urged it at that time. If I may be permitted to refer to the record, I will call attention to the statement made by one of the commissioners from California, Mr. Livernash, who, it has been said in debate to-day, was the author of this bill; indeed, he testified that such is the fact. He said:

When the California commissioners arrived in Washington we were in favor of simple renewal of existing laws in some such way as under the Lodge bill, but with a few amendments shown by experience since 1893 to be desirable, and with provisions giving protection against the Philippine Chinese. But we did not then know of the five pending cases to which I have referred; and knowledge as to those cases has made us advocates of restatement, of codification, rather than of simple renewal, and has made us regard such re-statement or codification as vital.

Therefore it appears that in its operation, ever since its passage down to the time when these commissioners came to Washington, the law had been absolutely satisfactory to them.

I call attention also to the testimony of another—or the statement, rather, because no testimony, in the strict sense of the word, was taken before our committee—the statement of ex-Mayor James D. Phelan, of San Francisco. He says:

I suppose the Chinese of California have not returned to their native land, but they have scattered themselves throughout the United States. However, so far as California is concerned it is satisfied with the operation of the exclusion law. The Chinese population has fallen off materially.

Referring to the convention from which he and Mr. Livernash took their credentials, or under whose action they were appointed, he says:

This convention unanimously, without a dissenting voice, memorialized Congress, requesting not the reenactment of a particular law, but the reenactment of the exclusion laws whose operation had been so beneficent and satisfactory.

Printed on the same page and subsequent pages of the record is the memorial that was sent to Congress by the convention I have already referred to, in which it is said:

Pursuant to a call officially issued by the city of San Francisco, there assembled in that city on the 21st day of November, 1901, for the purpose of expressing the sentiments of the State of California on the reenactment of Chinese-exclusion laws, a convention composed of State officers, representatives of county supervisors, city councils, trade, labor, commercial, and civic organizations to the number of 3,000, and without dissent it was resolved to memorialize the President and the Congress of the United States as follows, etc.

In stating what the operation of those laws had been the memorial uses this language:

The effects of Chinese exclusion have been most advantageous to the State. The 75,000 Chinese residents of California in 1890 have been reduced, according to the last census, to 45,600; and whereas the white settlement of California by Caucasians had been arrested prior to the adoption of these laws, a healthy growth of the State in population has marked the progress of recent years.

It appears, therefore, Mr. President, that when this session opened nobody desired anything better as a law than that then upon our statute book. The only reason that has been given in debate or in evidence that I am aware of for any amendment to the existing law is that mentioned by Mr. Livernash in the record which I have just read, in which he says that when the commissioners came here he did not know of the five cases pending in the Supreme Court.

It seems to me, therefore, that the Geary law, with one or two slight amendments, would answer every purpose desired to be attained by the most ardent advocates of the exclusion of the Chinese. One of those cases in the Supreme Court involves the validity of the regulations governing the privilege of transit of laborers through this country. It has been claimed that such regulations are invalid, because when made by the Secretary of the Treasury they were based upon a section of the statute of 1888, known as the Scott law. The Scott law was adopted when there was a treaty pending which it was supposed China would very soon ratify. That law in its enacting clause reads:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the exchange of ratifications of the pending treaty between the United States of America and His Imperial Majesty the Emperor of China, signed on the 12th day of March, A. D. 1888, it shall be unlawful for any Chinese person, whether a subject of China or of any other power, to enter the United States, except as hereinafter provided.

It is claimed that act has never been in force and that any regulation made under its authority is an invalid regulation; and that is the one question, as I understand it, upon which that case may turn. For myself, I think the law never went into effect. I do not see how any regulation made under it could have the force of law. Admit, for the sake of the argument, that such is the fact; admit, for the sake of the argument, that the decision of the Supreme Court will be to that effect, then the only thing that is necessary to be done by Congress in reenacting the Geary law is to merely add a clause by way of amendment providing that the Secretary of the Treasury shall have power to make proper regulations governing the admission of those who seek transit through our country. With such an amendment the difficulty is solved.

Then there are certain other cases pending in the Supreme Court, in which, as I understand, it is asserted that the treaty of 1894 contains in itself a plan of procedure, providing how and under what circumstances the Chinese may come into this country, and that such provisions of the treaty are superior in authority to any statute adopted before the ratification of the treaty. If that be true, and if the Supreme Court shall hold that the regulations made under acts which were in force before the ratification of the treaty of 1894 are illegal and without binding authority, it will be because the treaty of 1894 was the last expression of national opinion and authority, and for that reason governs any statute preceding it in date. If, therefore, at this time we reenact the Geary law, such reenactment, coming subsequent to the ratification of the treaty, will be the higher authority, being the last

expression of legislative authority. If in any way its provisions differ from those of the treaty, we have taken the responsibility of adopting them, and the law becomes superior in authority to the terms of the treaty.

During the hearing, to which I have already referred, this question arose indirectly. Objection was made by some who appeared before the committee to what was known as the Proctor bill, because it provided for the continuance of the Geary act—I regret that I have not the bill before me, and am unable therefore to give its exact language—in accordance with the existing treaty obligations. One of them, having his attention called to the bill, made this statement:

The Proctor bill would carry forward only so much of the living law and practice as is strictly consistent with the text of the treaty of 1894, whereas as things stand it is assumed that the treaty text may be helped out by the text of the living law and regulations in force at the ratification of the convention.

In other words, it was claimed because we had the law of 1892 upon the statute books when the treaty of 1894 between the United States and China was ratified—and the same was claimed in the debate here the other day—that the provisions of the law of 1892 were in some way read into the treaty of 1894. By what authority I do not know. The objection to the original Proctor bill was that it continued in force the existing laws in accordance with the terms of the treaty, and therefore it would not carry forward the provisions of preexisting law, and for that reason was objectionable.

Therefore, Mr. President, it seems to me that every reason that has been suggested for rewriting the laws has been done away with, because, by a simple amendment, the provision of the Scott law giving the Secretary of the Treasury the right to make regulations concerning those who seek transit through our country can be added as an amendment. If the Geary law is reenacted at this time, in so far as it differs from the provisions of the convention of 1894, it will be paramount in authority to them; and if it becomes necessary to give effect to the Geary law in the Philippines a simple amendment to that effect can also be adopted.

I do not know precisely why a provision should be attached, however, in respect of the Philippines. If a resident of the Philippines is a Chinese subject he clearly can not enter this country under the provisions of existing law. If a Chinaman in the Philippines has become a citizen of the United States, either under the treaty with Spain or under any act of Congress, then, of course, he has the right to enter the country regardless of the law. I do not think I am mistaken about the operation of the Geary law. It is clear that no legislation to prevent Chinese coming from the Philippines to the mainland is necessary.

The real question presented to this body for consideration is this: How can we best protect American labor, a thing we are all anxious to do, and at the same time best protect American commerce? In other words, how can we most successfully protect American citizenship in all of its branches, in all of its conditions, and how best protect American progress and American prosperity?

I have listened with a good deal of interest to what has been said in debate concerning the character of Chinese immigrants. I heard it all in committee. I have no criticism to offer upon anybody who objects to the introduction of that class of people into this nation. Very much of what has been said is true. I do not know but that all of it is true. I know nothing about it. I have not come in contact with this class of people. But admit for the sake of the argument that it is all true. If there is any member of the Senate who opposes either this measure or any other upon the ground that he objects to the policy of Chinese exclusion I do not know who he is. For myself, I stand, as I said before, in favor of excluding the Chinese laborer and making the law strong and effective to that end. Therefore, if a majority of the Senate are of the same opinion, I do not see how the discussion of the moral character of the Chinese can help very much toward the solution of the main question as already stated. If it relates to prostitutes, who have been so much referred to, we have a general law applicable to them, whether they be European or Asiatic.

I do think, however, Mr. President, that the fear which has been expressed of a large influx into this country of Chinese of the prohibited class is greater than the facts warrant. It is but natural that those who have been most troubled by the coming of Chinese laborers should be anxious and should magnify the dangers that confront them. It is perfectly evident that those who have the execution of this law committed to them have become unduly excited, and in the expression of their opinions they oftentimes resort to extravagance of statement in an effort to impress upon their hearers the danger that impends unless the laws are made more stringent than at present.

A fair illustration of this was offered during the proceedings before the Committee on Immigration. The committee room was crowded. A large proportion of the committee were present. The heads of different departments of the Federation of Labor were

sitting along the border of the room. There appeared before us the Commissioner-General of Immigration; the law officer of that Bureau, Mr. Campbell; Mr. Dunn, the inspector of Chinese immigration at San Francisco; a United States deputy marshal; a Government interpreter; and with this body of men there were brought in two miserable, downcast-looking Chinamen. I hardly know how to describe their appearance. They stood modestly at one side of the room with their heads dropped. They were interrogated by pretty much everybody, through the interpreter, and the impression left upon the minds of the committee when we were through with the hearing was that they were fair examples of those who were coming into America on every side. They came into America, as I understood, with certificates as merchants, fraudulently obtained in China through a certain house which has been engaged in obtaining fraudulent certificates for Chinese emigrants.

These two Chinamen were entirely without counsel. They never had been inquired of whether they wished counsel, but they were brought into the Capitol of the nation. They were brought into the committee room. They were put upon the rack. They were inquired of in every possible way, through the interpreter, and it went, as a matter of course, in the minds of all of us that everything stated about them was true.

It now appears that one of those men has been in the city of Washington for four years. How long the other one has been here I do not know. I am informed that one has not yet received his trial. His case is awaiting evidence, but the other was brought before the Commissioner, and, on appeal, before Judge Hagner, and on a full hearing before the latter has been discharged upon the ground that his certificate was valid.

If an American citizen had been picked up in that way and not taken before a magistrate, but hauled through the streets of Washington and into the Capitol of the nation and before a promiscuous crowd, and compelled to answer as those men were compelled to answer, I think somebody would have brought a suit for false imprisonment. But no matter about that. I mention the circumstance simply to show how every incident connected with the administration of this law by those who are appointed to administer it is magnified.

I do not know of any evidence that was brought before the committee which tended to show any organized effort on the part of anyone in power to evade or override this law, except that which was mentioned by Mr. Dunn and which has been the subject of a colloquy between the Senator from New Hampshire and the Senator from Indiana. I had intended to say something about the statement, but it has been so fully gone into that it is not necessary for me to do so.

I wish, however, to say by way of explanation that Mr. Schwerin, the general manager of the Pacific Mail Steamship Company, was not in Washington, and consequently not in attendance before the committee at the time the statement was made by Mr. Dunn. When the statement was quoted in the Senate two or three days ago he called me from the Chamber and, denying its correctness, stated that it was the first time that his attention had been called to the matter. In view of the inquiry by the Senator from Indiana, why he had not sooner made denial of the fact, I think it is only justice to Mr. Schwerin that I make this statement.

Mr. FAIRBANKS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Indiana?

Mr. DILLINGHAM. Certainly.

Mr. FAIRBANKS. The Senator agrees with me that the counsel for the steamship company was present during the statement.

Mr. DILLINGHAM. He was.

Mr. FAIRBANKS. I ask the Senator's permission to say one word more.

Mr. DILLINGHAM. Certainly.

Mr. FAIRBANKS. In what I said I do not wish to be understood as casting any criticism whatever upon the general manager of the company or the company itself. I adverted to the statement which is in the record and submitted the statement for what it was worth. I felt that I had a right to accept the statement as true at the time, for up to that time it had stood unchallenged. But as to whether the general manager or Mr. Dunn is right, of course I have no more information or any better opinion than the Senator himself.

Mr. DILLINGHAM. I hope the Senator from Indiana did not think I was offering any criticism of his action.

Mr. FAIRBANKS. Oh, not at all.

Mr. DILLINGHAM. That was farthest from my mind.

But, Mr. President, the question comes back, after this interruption, to the proposition—what is best for the nation in view of the circumstances disclosed at the hearings before the Committee on Immigration? Under the Geary Act the Chinese in California have been reduced in number from 72,472 in 1890 to 45,753 in the year 1900. In other words, under the operation of this act within

ten years the number of Chinese in California has been reduced 40 per cent. What better result can be hoped for under any law that may be enacted? This fact is the basis for the statements made by Mr. Livernash and Mayor Phelan. In it is found the reason of the language used in the memorial from the California Convention to this body, expressing their great satisfaction with the operation of the law. In our effort to exclude Chinese laborers from our country the Chinese Government is in full accord with us. The preamble of the treaty of 1894, as has already been stated, gives expression to China's desire to prohibit the emigration of such laborers.

The operation of existing law has been most satisfactory. I find that during the last seven years there has not only been a decrease in the number of Chinese in California, but there have not been brought into this country such vast numbers of them as the discussion in this case would seem to indicate. Take, for instance, the Chinese laborers in this country holding certificates who have the right to go to China and have the right under the treaty and under the law to return. I find that in the last seven years the number going out from this country has been as follows:

In 1895, 110; in 1896, 936; in 1897, 1,651; in 1898, 2,200; in 1899, 2,554; in 1900, 2,452, and in 1901, 2,735.

During those seven years there have gone out from this country of Chinese laborers, voluntarily, with the right to return, 12,638.

During 1896 only 106 returned; in 1897, 1,039; in 1898, 1,497; in 1899, 1,793; in 1900, 1,977; in 1901, 2,280. In other words, there have returned during the same period only 8,712, or about two-thirds as many as have left our shores.

It has been said in argument that we stand in great danger because of the immense numbers who attempt to go through our country from China to other countries. It is alleged that they pass through into Mexico, and after remaining there a brief period recross the border and come again into the States; that they go into Canada and work their way into the States over the Canadian border. After hearing the statements of the inspectors one would really believe that the Chinese are liable to become as numerous as the frogs were in Egypt at the time of the plague.

I find, however, that the number of those who passed in transit through the United States to other countries in 1894 were 1,169; in 1895, 1,168; in 1896, 1,521; in 1897, 1,819; in 1898, 865; in 1899, 1,012; in 1900, 2,602; in 1901, 1,807. During the eight years the average number coming in and going out of the country annually was only 1,495.

How many of these worked their way back into this country and therefore were here illegally? That can only be shown by the number whom we deported, because if there is an active set of officers in all our nation it is the corps of inspectors who have under their charge the enforcement of these laws. I live on the border, and I know their diligence there, and certainly we can not complain that the officer in San Francisco is not vigilant and thorough. They have raked and scraped this nation of ours in each of these years to find and deport Chinese illegally here; those who did not hold certificates. How many have they found and deported? In 1895 they found 82; in 1896, 120; in 1897, 227; in 1898, 220; in 1899, 192; in 1900, 288, and in 1901, 328, or an average during each year of that time of about 208, who have worked in illegally and were therefore subject to the laws requiring their deportation.

It seems to me, Mr. President, that the figures do not indicate a very great danger to this nation under the operation of the Geary law.

Under the Geary Act, as has been suggested by others, we know what we can do. We know the certainty of its operation. Everybody understands it. Under it justice will be speedy. If we adopt the pending measure, delays will occur, the expense will be great, the whole service will be tied up, and a manifest injustice will be perpetrated upon large numbers of those seeking entrance into this country, perhaps legally. If California is satisfied with the operation of the Geary law, as she certainly is, why should we make any change? California and the Pacific coast States are those more interested in this legislation than any of the others, and every one of the gentlemen representing the Pacific coast before our committee expressed his satisfaction with the operation of the present law.

Mr. PLATT of Connecticut. May I ask the Senator from Vermont a question?

Mr. DILLINGHAM. Certainly.

Mr. PLATT of Connecticut. I suppose that among those deported are all who have lost their certificates or can not produce satisfactory certificates?

Mr. DILLINGHAM. I suppose so. It must be so, because the burden is placed upon the Chinaman to prove that he has the right to stay.

Mr. President, we came here the first of December. The vari-

ous bills that I have mentioned for the extension of the Geary Act were introduced. It was considerably later in the session that the bill we are now considering made its appearance. The Chamber of Commerce of San Francisco subsequently, on the 13th day of February, took action which I will read. I apprehend that the Chamber of Commerce of San Francisco is like the chamber of commerce of other great cities—made up of men who have brains, who have sound judgment, who have great experience in affairs, who have a reasonable judgment of what will be best for the prosperity of our country and of all classes which constitute our nation.

Mr. FAIRBANKS. From what page does the Senator read?

Mr. DILLINGHAM. Page 345. Their action was as follows:

Whereas there are now pending in the National Congress of the United States at Washington certain bills which we believe may be construed to so restrict the entrance of the mercantile class of China into the United States as to be harmful to our mercantile interests; and

Whereas the trade of the port of San Francisco with the Chinese Empire is of great and increasing importance, its value for the year 1890, including Hongkong, being \$15,689,458, and for the year 1900, \$26,685,438; and

Whereas for the proper conserving and promoting of this exchange of commodities we believe it is of the utmost importance that all facilities of commerce and the courtesies due to a friendly nation be extended particularly to that class of the Chinese Empire which operates, controls, and has in itself the means and power of furthering this trade, which, under favorable conditions and by the assistance of a broad Government policy, is destined to assume vast proportions in the future: Therefore

Resolved, That we do hereby most respectfully and earnestly petition the President of the United States and our Representatives in Congress to use their utmost endeavors to induce Congress to enact legislation so as to grant unrestricted entrance into the United States to all merchants and members of the mercantile class of Chinese, such as salesmen, clerks, buyers, bookkeepers, accountants, managers, storekeepers, bankers, and cashiers.

I find also that the Merchants' Exchange of San Francisco held a meeting February 12 and adopted a memorial which is substantially the same, if not in terms. It begins:

Whereas there are now pending in the National Congress of the United States at Washington certain bills which we believe may be construed to so restrict the entrance of the mercantile class of China into the United States as to be harmful to our mercantile interests—

And then it goes on to state the extent of the trade that the Pacific coast is enjoying with the Empire of China and to express the fear that harm may come if this legislation is adopted, and asks Congress to broaden its legislation so as to allow to come in from China those commercial classes which we very much need to come in contact with if we would dispose of the great surplus of our manufactures and secure our share of the foreign trade.

It is claimed that the pending bill is the existing law, but into this measure there has been written as law the regulations which have been adopted from time to time since 1882 by the Treasury Department for the guidance of their officers and inspectors. It seems to me it is pretty poor policy for Congress to doubt either the ability or the purpose of any one of the great Executive Departments of this Government to execute any law that is committed to any such department to be administered.

I understand that to the Treasury Department is committed substantially the whole duty and responsibility of administering the immigration laws and imposing regulations to carry such laws into effect. If we are to take these regulations, which may perhaps need to be amended to-morrow by new conditions as they present themselves, and make them matters of statutory law, we have, as it seems to me, insulted the head of that Department. We certainly have expressed a distrust of the ability of the Treasury Department to make regulations that will effectively carry into operation the provisions of the law which we may adopt.

But over and beyond that is the further objection to an act in which such regulations are adopted as a part of its provisions that every day may present a new condition regarding the incoming or the outgoing of some member of a class governed by this bill which requires the exercise of the discretionary power vested in the Department, thus calling for changes in existing regulations and the adoption of new ones. As a matter of policy it seems to me to be all wrong.

Mr. SPOONER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Wisconsin?

Mr. DILLINGHAM. Certainly.

Mr. SPOONER. Does the bill, in addition to adopting the regulations referred to, confer upon the Secretary of the Treasury power to make other regulations?

Mr. DILLINGHAM. It does in several instances.

Mr. SPOONER. A general power?

Mr. DILLINGHAM. I do not recall whether it gives him the general power, but it does in several instances give that power to the Secretary of the Treasury.

Now, there is another fundamental objection to the pending measure, as it seems to me. I may be wrong about it, as the Senator from Wisconsin sometimes says. This bill attempts to take up the Philippine situation and to deal with it in connection with the mainland situation. If that was to have been done, it

seems to me the bill should have gone to the Committee on Foreign Relations instead of the Committee on Immigration. It is a great question with which we have to deal in the Philippines, and yet this bill, presented under the circumstances I have indicated, professes to deal—

Mr. LODGE. May I ask the Senator from Vermont a question?

Mr. DILLINGHAM. Certainly.

Mr. LODGE. Why should it not have gone to the Committee on the Philippines, which is the committee in charge of affairs relating to the Philippine Islands?

Mr. DILLINGHAM. I have shown my ignorance of the different committees here. It should have gone to the Committee on the Philippines. The Senator is entirely right about it.

The Philippines are in close proximity to China. The Chinese have been coming into the Philippines for ages. The commerce between the Philippines and China is very large. I am told that very much of the provisions consumed by the Philippines comes out from China. The conditions in the Philippines are such that it seems to me entirely unwise that we should in this measure attempt to meet them. In this view of this question I am amply sustained by the testimony of Governor Taft given before the Committee on Immigration:

When we went to the Philippines we found in force the exclusion act now in force extended to those islands by a proclamation of General Otis, with the approval of the President. I am not sure whether it was an Executive order or whether it was an order by General Otis.

The chairman inquired:

Is the exclusion there similar to that which applies to the mainland of the United States?

Governor TAFT. Yes, sir. There are some exceptions, I believe, which the military governor allowed, but they are so small that it is practically the same as that applying in the United States. We never have disturbed them.

The CHAIRMAN. How long has that act been in operation?

Governor TAFT. I think it is three years.

The CHAIRMAN. That is the existing law?

Governor TAFT. Yes, sir.

That being the case, the Chinese are not able at the present time to come into the Philippine Islands any more than they are to come into the United States.

The question arose later about the people of mixed bloods, of whom there are large numbers in the islands. By one of the provisions of this bill they are excluded from coming to the United States, because the term Chinese is defined to include persons who are Chinese by birth or descent, also those of mixed blood. The following question was addressed to Governor Taft by the Chairman:

Are there many half-breeds—Filipino and Chinese?

Governor TAFT. Yes, sir; there are a great number of those. If you do not limit it to half-breeds, but extend it to those who have Chinese blood in them, there are a great number.

The CHAIRMAN. That is what I mean.

Governor TAFT. There are provinces, like the province of Pampanga, in which there is a visible admixture of Chinese blood, coming down for hundreds of years.

The CHAIRMAN. Are the people of those mixed races classed as Chinese or Filipinos?

Governor TAFT. They are all classed as Filipinos, except the men with the pigtail, who were born in China.

The CHAIRMAN. Would it be your thought that those people should be kept out of the United States as well as the full-blooded Chinese?

Governor TAFT. No, sir. They are Filipinos, pure and simple. They are just as strong in their prejudices against the Chinese as are the Filipinos.

As bearing upon the question whether there should be any letting down of the bars so as to permit further entry of the Chinese into the Philippines, the chairman asked the following question:

In your opinion will there be a sufficient supply of effective labor for the development of the Philippine Islands without admitting the Chinese?

Governor TAFT. That is rather a hard question to answer. I do not think there will be a sufficient supply of skilled labor, because the extent has been tested already, and the amount of it is so small that development in manufacturing, in construction, and among machinists is almost impossible without allowing skilled labor to come in under restrictions which will enable us to cause their removal from the islands after we have secured a sufficient supply of skilled labor from the Filipinos by manual-training schools and by the very presence of the Chinamen.

The governor introduced a memorial to the Congress of the United States from the Chamber of Commerce of Manila, which I shall not stop to read. It will be found on page 492 of the record. In the memorial the following passage occurs:

The present restrictive law does not benefit the Filipinos, nor is it of benefit to anyone. This labor will not enter into competition with American labor, and its entry into the Philippine Islands is imperatively needed.

The governor also quoted from a letter written to him by his fellow-commissioner, General Wright, in which he says:

I take it for granted that among the important topics of discussion between you and the authorities at Washington will be the insular policy as to the exclusion or admission of Chinese. It is a subject which we have discussed frequently and upon which, I believe, we are agreed. I think it well to say, however, in view of the multiplicity of subjects upon which you have to deal, that you may not overlook it, that in my judgment it is extremely important that should it be the policy of the Executive and Congress to continue the exclusion of Chinese from the United States by treaty and legislation as heretofore, it is very important that these laws should not be enforced in their entirety here. The Filipino laborer as he is can not be relied on at this time for steady work. I think it very probable that under American administration, as his horizon broadens and his wants increase, his disposition to work in order to gratify those wants and better his condi-

tion will increase proportionately. But that is a work of time and education. It is very doubtful if to-day any large public work could be successfully carried to completion without great delay and increased expenses with Filipino laborers alone. The number of Filipino mechanics and other skilled laborers are extremely few and confined to a small number of trades.

I am sorry to take so much time in reading, but the authority from which I read is so good that I can not resist the temptation to make further extracts from General Wright's letter. He says, speaking of the Chinese:

I do mean, however, to assert that our ports here should not be hermetically sealed against them, and that either Congress should itself provide, or, what would be better, give the government established here the authority to provide, for their admission under proper limitations. These limitations may be made stringent enough to require their removal whenever the necessity for their importation ceases to exist. Persons or corporations requiring the use of either skilled or unskilled laborers might be required to give bond and security for their return to China after a specified time or on demand of the government here.

Governor Taft also introduced before the committee a letter addressed to General Wright from Cameron & McLaughlin, manufacturers' agents, in which they complain of their inability to obtain skilled labor and ask for relief. The governor resumes, and this is his recommendation, and because it is his recommendation I bring it before the Senate:

Now, it seems to me, Mr. Chairman, that the best way for Congress to meet this problem is to establish its policy with respect to the United States, and then to treat the Philippine Islands, so far as concerns the introduction of Chinese into the United States, as if it were a foreign country, and that then the Commission or the legislative body of the islands be given some power and authority in its discretion to admit skilled labor, with provision for its return within such time as the Commission may determine.

I should like also to have extended to the Commission the power to allow unskilled labor to come in. Personally, in the Commission, I shall always oppose the admission of unskilled labor until time has elapsed sufficient to enable us to know that the Filipino unskilled labor can not be used for the purposes of labor in those islands. I think it can be. I believe it is a question only of tact and organization.

I want to say here that the Governor seemed extremely anxious to do nothing that would serve to arouse to any greater degree than it now exists the dislike of the Filipinos for the Chinese. He says that dislike does not arise from labor competition. He says it arises from the fact that the Chinese are good traders, and the prejudice against them comes because of that fact. In various ways he advances the thought that we should do nothing to convey to the Filipino mind the idea that the American Government intended to impose upon them great numbers of Chinese.

He says:

Nevertheless, it seems to me that we owe our first duty to the Filipinos to do nothing which shall arouse the enmity of the people and induce a belief that we are exploiting the islands or intend to sacrifice them to exploitation by admitting generally Chinese labor. I think if we are trusted with making exceptions to an exclusion law it will be found that we shall be much more conservative than a good many people in the islands desire us to be.

The testimony of Governor Taft is really a brief upon the subject of this proposed legislation, and the tenor of it is to the effect that the provisions regarding Chinese in the Philippines should not remain in this bill, but that the matter should be determined either by an independent act of Congress relating to the Philippines, or that it should be referred to the Commission, as he had already suggested, with authority to exercise a wise discretion in meeting conditions as they may arise. He says:

I do not think the admission of Chinese skilled labor under proper restrictions, so that it can be taken out of the islands when skilled labor is developed among the Filipinos, is going to produce a political effect, such as certainly would be produced by the unlimited admission of coolie labor there and their development into tradesmen.

I should like very much if we could have the authority to experiment somewhat, if nothing else, in the introduction of skilled labor, for its need in the islands is very great. There is no doubt about that. The truth is that the few Chinamen in the islands now, who are skilled laborers, get two or three times the wages which were paid during Spanish times; I do not know but four or five times. The price is going right up, because the pressure for building and all sorts of work which involves skilled labor is growing greater and greater.

Now, Mr. President, it seems to me that the extracts I have read from an interesting chapter in this book serve to indicate that the objection to having Philippine legislation incorporated into this bill is fundamental in its character and that we ought not to insist upon it, but that a more intelligent administration of the Chinese question in the Philippines can be given under the power of the Commission than it is possible for the American Congress to devise.

Mr. President, I do not know how long the Senate will care to hear me to-night. I am not nearly through.

Mr. HOAR. Would the Senator from Vermont like to yield for a motion to go into executive session?

Mr. DILLINGHAM. If that is the desire, I will stop at this point.

Mr. HOAR. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Massachusetts?

Mr. DILLINGHAM. I do.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

Mr. PENROSE. Mr. President, before the motion is put, I should like to give notice to the Senate that I shall to-morrow ask for unanimous consent to fix some date for a final vote upon the Chinese-exclusion bill.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 3 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 10, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 9, 1902.

CONSUL.

Charles V. Herdliska, of the District of Columbia, to be consul of the United States at Callao, Peru, vice William B. Dickey, removed.

RECEIVERS OF PUBLIC MONEYS.

Frank E. Densmore, of California, to be receiver of public moneys at Independence, Cal., his term having expired. (Reappointment.)

Willis H. Cofield, of Alva, Okla., to be receiver of public moneys at Alva, Okla., vice William J. French, removed.

REGISTERS OF LAND OFFICES.

Stafford W. Austin, of California, to be register of the land office at Independence, Cal., his term having expired. (Reappointment.)

John D. Maxey, of California, to be register of the land office at Stockton, Cal., his term having expired. (Reappointment.)

COLLECTOR OF INTERNAL REVENUE.

Frank D. Roberts, of Missouri, to be collector of internal revenue for the sixth district of Missouri, to succeed F. E. Kellogg, resigned.

PROMOTIONS IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. Claude H. Lavinder, of Virginia, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

Asst. Surg. Taliaferro Clark, of Virginia, to be a passed assistant surgeon in the Marine-Hospital Service of the United States.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 9, 1902.

SECRETARY OF LEGATION.

Edward Winslow Ames, of Massachusetts, to be secretary of the legation of the United States at Buenos Ayres, Argentine Republic.

POSTMASTER.

Edwin Fore, to be postmaster at Pittsburg, in the county of Camp and State of Texas.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 9, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

PERSONAL EXPLANATION.

Mr. BARTLETT. Mr. Speaker, I desire to make a personal explanation.

The SPEAKER. Is there objection to a personal explanation by the gentleman from Georgia?

There was no objection.

Mr. BARTLETT. Mr. Speaker, on Monday, the 7th instant, I was necessarily absent from the House. On that day, prior to the calling up of the bill to extend the charters of national banks, and in fact during this Congress, I have been paired with my friend from New Jersey, Mr. FOWLER. I was paired with him on that day, and the RECORD so shows. Upon the call of the roll on the passage of that bill I find by the RECORD that Mr. FOWLER voted "yea." Of course I did not vote. I had been unable to see the gentleman from New Jersey, although I have endeavored to do so, and I desire to make the statement that had I not known that we were paired I should have been present and should have voted against the bill. I am constrained to believe that my friend from New Jersey [Mr. FOWLER] either did not vote or voted by inadvertence, forgetting that he was paired.

CONTESTED-ELECTION CASE—FOWLER AGAINST THOMAS, THIRD DISTRICT NORTH CAROLINA.

Mr. OLMSTED, from Committee on Elections No. 2, presented the report of that committee in the contested-election case of John E. Fowler v. Charles R. Thomas, from the Third Congressional district of North Carolina; which was ordered to be printed and referred to the House Calendar.

OLEOMARGARINE AND OTHER IMITATION DAIRY PRODUCTS.

Mr. HENRY of Connecticut. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9206.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to take from the Speaker's table the following bill, which the Clerk will report by its title.

The Clerk read the title of the bill, as follows:

A bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee and Mr. BURLESON. I object.

The SPEAKER. Objection is made, and the bill will be referred to the Committee on Agriculture.

CUBAN RECIPROCITY.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12765) to provide for reciprocal trade relations with Cuba.

The SPEAKER. The gentleman from New York moves that the House resolve itself into Committee of the Whole House on the state of the Union on the bill H. R. 12765.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12765, the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 12765) to provide for reciprocal trade relations with Cuba.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. VAN VOORHIS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; to which the concurrence of the House of Representatives was requested:

S. 1934. An act to provide for the purchase of a site and the erection of a public building thereon at Biloxi, in the State of Mississippi;

S. 3421. An act for the relief of Eleonora G. Goldsborough;

S. 3992. An act granting an increase of pension to David M. McKnight;

S. 899. An act granting an increase of pension to George F. Bowers;

S. 2738. An act granting an increase of pension to James W. Hankins;

S. 694. An act granting a pension to Jane Caton;

S. 4042. An act granting an increase of pension to William H. Norton;

S. 2975. An act granting an increase of pension to Levi Hatchett;

S. 4535. An act granting an increase of pension to Lydia M. Granger;

S. 3334. An act granting an increase of pension to Thomas E. James;

S. 2409. An act granting a pension to John A. Rotan;

S. 234. An act granting a pension to James Frey; and

S. R. 74. Joint resolution relating to publications of the Geological Survey.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11353) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. STEWART, Mr. PLATT of Connecticut, and Mr. RAWLINS as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 7290. An act granting an increase of pension to Lizzie B. Green;

H. R. 7847. An act granting an increase of pension to Charles S. Wilson;
 H. R. 2613. An act granting an increase of pension to Thomas H. H. Gibbs;
 H. R. 12375. An act granting a pension to Amelia A. Russell;
 H. R. 3354. An act granting an increase of pension to Thomas Young;
 H. R. 1476. An act granting an increase of pension to Henry F. Benson;
 H. R. 3427. An act granting an increase of pension to Sarah E. Allen;
 H. R. 11025. An act granting an increase of pension to Mary A. Carlile;
 H. R. 291. An act granting an increase of pension to Christina Heitz;
 H. R. 1485. An act granting an increase of pension to Thompson B. Moore;
 H. R. 4172. An act granting an increase of pension to George R. Chaney;
 H. R. 3260. An act granting a pension to Jacob Golden;
 H. R. 10957. An act granting an increase of pension to Mary E. Stockings;
 H. R. 4053. An act granting an increase of pension to Henry E. De Marse;
 H. R. 7525. An act granting a pension to Marion Barnes;
 H. R. 3876. An act granting an increase of pension to Theophile A. Dauphin;
 H. R. 3884. An act granting an increase of pension to Erastus C. Moderwell;
 H. R. 9378. An act granting a pension to Clara B. Townsend;
 H. R. 10710. An act granting an increase of pension to Frances E. Scott;
 H. R. 9654. An act granting a pension to John S. James;
 H. R. 11916. An act granting an increase of pension to Andrew B. Spurling;
 H. R. 1685. An act granting an increase of pension to Augustus E. Hodges;
 H. R. 1709. An act granting an increase of pension to Edwin J. Godfrey;
 H. R. 12395. An act granting a pension to Ruth Bartlett;
 H. R. 6023. An act granting an increase of pension to Robert L. Ackridge;
 H. R. 12490. An act granting an increase of pension to Joseph Culbreath;
 H. R. 3352. An act granting an increase of pension to Margaret M. Boyd;
 H. R. 7613. An act granting an increase of pension to Evaline Wilson;
 H. R. 4116. An act granting an increase of pension to William Berry; and
 H. R. 4176. An act granting an increase of pension to Nathan W. Snee.

RECIPROCITY WITH CUBA.

The committee resumed its session.

Mr. WM. ALDEN SMITH. Mr. Chairman, at length the discussion of the proposed measure has been precipitated into the House. I listened yesterday with a great deal of interest to the remarks of the distinguished chairman of the Committee on Ways and Means, who opened the debate, and was impressed by his comparison of the present relationship of the island of Cuba to the United States. He characterized it as that of a guardian for a ward. I do not think the illustration very apt. Indeed, I do not think the remedy offered is such as a prudent guardian ought to tender to a ward. I have known guardians to indulge their wards far beyond the rule of appropriate conduct. I have known guardians to do for a ward what they refused to do for their own offspring; and while I honor a guardian for performing his duty, nevertheless I assert that our first duty is to our own child—the offspring of our established policy. The first duty of the American Congress is to the American people.

Much as I dislike to disagree with the Committee on Ways and Means upon the question of our fiscal policy, sharp and pointed and unmistakable as have been the differences between us in this matter, still I desire to record my sincere belief that the committee and its honored chairman have been animated by the highest motives and the utmost sincerity in the course upon which they have finally resolved.

This is the people's forum. Here is constituted the court of public opinion. This is the only place in the national councils where the people may be directly heard without passing through the circuitous pathway prescribed by the Constitution for other governmental agencies.

Every Representative upon this floor bears his commission directly from the people, and he must soon return to give an account of his stewardship.

This is the place where many men of many minds mingle together for the common weal. Those from the East come laden with the responsibility of large and multiplied industrial development. From the West is gathered together the composite energy of all the failures and of all the successes, all the trials and all the hardships of the past, representing the most marvelous development ever seen in any age of the world's progress. From the North we bring rare industrial trophies and illimitable energy which has made for us a proud place in the national economy. From the South you upon the other side bring to us the sweet perfume of peace restored, industry rehabilitated, and happiness returned.

Are we not indeed fortunate in the period and the hour of our public service, and should we not with solemn devotion consecrate ourselves to the public good?

I would not for anything have you believe that we who for two months have been battling for what we believe to be right were animated by any hostility or unfriendliness toward the island of Cuba. Such is far from the truth. We have always aided and sustained her in her struggle for independence. We glory in her approaching sovereignty, and we hope that her Congress may always be loyal to the Cuban people, emphasizing their devotion to the new Republic by stainless private life and honorable public conduct; and while they may bear their share of the world's responsibility for public order and do their part to insure its stability and progress, yet they must not forget that they represent Cuba, and that her future development will be critically watched by all the world.

So, Mr. Chairman, we must not forget that while we may sympathize with Cuba, and are indeed akin to all the world, our first duty is toward our own people, and everything that tends to strengthen and develop our multiplied resources at home and add to the measure of our national strength and independence should be the object of our profoundest solicitude.

I am opposed to this measure because I believe it is calculated to breed strife and dissatisfaction with the other sugar countries of the world, which are thus discriminated against.

I believe it will have a tendency to provoke commercial hostility among the other West India islands and our neighbors in South America.

I am opposed to this measure because, in order to give it effect, it becomes necessary to violate a solemn promise of the Republican party deliberately made in national convention to the American people.

I am opposed to this measure because I believe it will be harmful to the agricultural and industrial classes of the United States, whose great interests have been confided to our care, and because I believe it will be harmful in the extreme to the island of Cuba.

I am opposed to this policy because I believe that the principal beneficiary will be the American Sugar Refining Company, which does not need our sympathy.

I am opposed to this measure because I believe that the people of the island of Cuba will receive no benefit therefrom.

And now that the shackles of servitude have been lifted from this patient island people, after so many years of turmoil and disaster, I wish for her a greater destiny than to become merely the producer of a single product, and that dependent upon the caprice of a single corporation.

The rugged pathway over which our nation has trudged to greatness and power had many natural impediments which were readily overcome by her as the necessities arose; but the flight to industrial supremacy has been made through storm and trial, frequently with pinioned wings, and always and ever with doubt and hesitation carping in our wake.

There was little doubt as to the wisdom of our early tariff policy. Indeed, there was rarely any doubt about it until manufactures were stimulated to such an extent that the South saw in the invasion of skilled and free labor a condition inimical to the permanent institution of slavery. At that time the attitude of the South changed, and they gradually taught themselves to believe that it was better to produce raw material and send it to Europe to be manufactured for the world.

The South never aimed at industrial independence, and has with singular unanimity until within very recent years urged that our tariff laws were both burdensome and unconstitutional. They believed that the duties exacted were added to the cost of the article protected, and it will be strange indeed if it is not reasserted as this debate progresses.

On the other hand, we believe that the tariff operates to enlarge the area of production and ultimately to decrease the cost to the consumer. Who can doubt that the tremendous development of the sugar industry, stimulated as it has been by tariff, bounties, and cartels, multiplying the volume a million fold, has had the effect to give to the consumers of sugar the world over this article of necessity at the minimum of cost?

No development of the world's production of foodstuffs has

been more rapid or striking than that of beet sugar. In 1854 the total crop of the world was 182,000 tons. Ten years later it had reached 536,000 tons, and ten years later, 1,219,000 tons, multiplying each decade until, in 1900, it had reached the enormous amount of 5,510,000 tons.

When my distinguished friend from Pennsylvania, sitting upon my right, first entered the House of Representatives, sugar made from beets grown upon the farm formed but 13 per cent of the world's total sugar crop, whereas last year it constituted 67 per cent of the total world's sugar. While my distinguished friend [Mr. Grow] has been serving the people of his State with great wisdom and constancy, the sugar-producing area of the world has shifted from the Tropics northward until the farmer of the temperate zone is fast growing to be the captain of this industry.

Our friends upon the other side of the Chamber can not argue that the tariff has been added to the cost, for the average price per pound has been lessened from 5.37 cents in 1871 to 2.49 cents in 1900. I can remember distinctly paying 15 cents a pound for sugar; to-day you get 20 pounds for \$1.

Artificially stimulated as it has been, the masses of mankind have reaped the benefit. While the world's population has no more than doubled in sixty years, its consumption of sugar to-day is more than eight times as much as in 1840. And while but a single factory in all the United Kingdom now refines cane sugar, all the others are exclusively occupied in preparing for the market the raw product of the beet farms of Germany, France, Austria, and Russia.

The American Sugar Refining Company refines the cane sugar sold in this market, and controls 90 per cent of the product. The beet-sugar manufacturer takes the beet from the farmer's hands, and when it leaves his factory is refined and ready for the table.

This is a struggle for supremacy between a gigantic and cold-blooded monopoly upon the one hand and the American farmer and sugar manufacturer upon the other. And I make the prediction that the struggle will be long and relentless and costly; and if we will give to the American sugar industry the same measure of protection accorded in all other fields of American enterprise, this sugar trust will lower its haughty head and deal fairly with the people upon whom it must depend.

Withdraw protection from this new and promising industry, discourage and weaken it by encouraging its rival, and when the epitaph is written upon its dismantled ruins, be very sure that your name does not appear among its principal offenders.

We bring you a rebate plan which has in it no threat to American industries. We bring to you a proposition which, if carried to its conclusion, will give a wider and better and far more reaching relief to the Cuban people than the proposition of the Committee on Ways and Means.

Mr. Chairman, the gentleman from New York [Mr. PAYNE] in his speech upon this floor yesterday said he would do nothing that would affect unfavorably any American industry. He said this bill was not calculated to do the beet-sugar industry of our country any harm. But the testimony before his committee, of Mr. Atkins, of Boston, largely interested in the cane-sugar industry in the island of Cuba, is in conflict with the statement of the gentleman from New York.

Indeed, my friend from Pennsylvania [Mr. DALZELL], who sits here on my left, said in one of the conferences—and I violate no secret—that if he thought this would harm an American industry it could not receive his support; and I do him the honor to say that I do not believe he would willingly harm a single American industry. But I ask him to reconcile the testimony of Mr. Atkins with the statement he made in conference.

Mr. Atkins says in answer to a question:

"Do you think it desirable for the Government to do anything to encourage the domestic production of sugar?"

"No; I do not."

Reconcile that with your protection principles, if you can. One of the men whose testimony you are guided by as to the necessity for this legislation does not favor American independence of foreign sugar supply. The gentleman from Pennsylvania and the gentleman from New York say that this concession will do the industry no harm. I ask you, gentlemen, my colleagues upon this floor, whom are we to believe? Are we to believe the man who does not believe in the domestic production of sugar, and therefore favors the pending bill, or are we to believe the members of the committee, who say that this action will do no harm? The situation is complex.

It reminds me of a story of two tramps who went to a house to beg something to eat. As they neared the premises a dog came fiercely out of the back door and up toward the two tramps, and one said to the other: "The dog won't hurt you, Jim; go to the door and ask for something to eat. The dog won't hurt you; don't you see he is wagging his tail." "Yes," said Jim, more discerning than his pal, "I see he is wagging his tail, but I also notice he's showing his teeth and snarling; I do not know which

end to believe." [Laughter.] So, Mr. Chairman, when gentlemen largely interested in the production of cane sugar in Cuba, our rival in the sugar markets of the world, tell us that they do not believe in any protection at all, and when the gentleman from New York yesterday admitted that 50 per cent reduction would not be too much to give to the island as a trade basis, and when I pressed the question upon him, admitted that free trade in raw sugar would be even more satisfactory than the present bill, may I hope to be pardoned if we look upon the whole plan with suspicion?

Mr. PAYNE. I think the gentleman from Michigan ought to distinguish which gentleman from New York.

Mr. WM. ALDEN SMITH. I do not mean the gentleman who is now addressing me, but your colleague, Mr. McCLELLAN.

Mr. PAYNE. Oh, that's it.

Mr. WM. ALDEN SMITH. Now, Mr. Chairman, I said a moment ago that we were not hostile to the island of Cuba. We believe in helping that island. We glory in its approaching independence. Our sympathy for Cuba takes a practical turn. Under your policy you simply afford a reduction of tariff to the few owners and exporters of sugar, while our policy would turn back to the government of the island of Cuba 20 or 25 per cent of the full revenue collected, relieve all the people of that island from the burdens of taxation, and assist it in its initial movement as an independent government. Our confidence in Cuba is greater than yours. The gentleman from New York yesterday in debate, turning upon me, asserted that when he made the speech in 1897 to which I called the attention of the House, he did it before the Spanish-American war. But every time there is a war must our fiscal policy be readjusted? The gentleman again turned upon me seemingly and charged myself and others here with the responsibility for bringing on that war.

Well, now, Mr. Chairman, I do not desire to avoid any responsibility for my action either preceding or during the Spanish war. But I say to the gentleman from New York that you may search my record in the Fifty-fourth and each succeeding Congress up to the present time in vain to find a single suggestion from me which warrants you in making such a statement. I never uttered a sentence upon this floor in favor of war with Spain; I never uttered a sentence upon this floor in the whole Cuban controversy except to advocate according belligerent rights to Cuba and to Spain, as we had the right to do under international law. So that my record upon that subject is as clear as the gentleman's.

I went to the White House as one of a committee of this House, informally chosen, to see the President, and there are men about me to-day who know what I said to President McKinley when he asked how I stood on that matter. I said to the President that while Michigan believed an end should be put to that war, while we believed in carrying out the principles laid down in the St. Louis platform in giving independence to the island of Cuba, yet I was one who wanted him to know that I would not urge him to go one inch farther or one minute faster than he thought it wise and prudent to go. Gentlemen sitting about me will bear out that statement. While others went further, I was conservative.

But, be that as it may, I have no desire to evade the responsibilities of the Spanish-American war. I believe that we have rid this hemisphere of a most disturbing affliction. I have no apology to make for it here or any place else. We believe in the future of the island of Cuba. We believe that it possesses unrivaled possibilities. We are willing and anxious to do something for it, but I ask you, sir, if it is wise for us to change our policy merely to meet a temporary exigency of a foreign state? If you start out on a proposition of that kind, you will instantly involve your country in jealousy with other West India islands and South American republics; you will instantly involve yourself with other great European sugar-producing countries, and possibly violate the most-favored-nation clause of treaties by favoring this one sugar-producing country of the Western Hemisphere. For one, I do not propose to engage in any such undertaking. [Applause.]

Mr. Chairman, much was said yesterday about the utterance of President McKinley at Buffalo. I defy the gentleman from New York or any member of the Ways and Means Committee to point out a single sentence of William McKinley in his Buffalo speech which gives you any warrant whatever for the measure now before the House of Representatives. I will tell you what he said in that memorable and God-inspired utterance, which will live forever as his parting message to the American people.

By sensible trade arrangements which will not interrupt our home production we should take from our customers such of their products as we can use without harm to our industries and labor.

Will this "interrupt our home production?" Every sugar interest in the State of Michigan says it will. Will this interfere with industry and labor here? Ask the farmers and laborers in the sugar fields of Michigan and California.

I contend, sir, that reciprocity treaties should be so framed as

not to interfere with American industry, and I stand on the speech of President McKinley; I stand upon the national platform of the Republican party; and that platform in 1900 said:

We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce.

We produce sugar; we will produce more sugar if you will but give us the encouragement you promised [turning to Mr. PAYNE].

The Republican party has always kept and redeemed its promises. Our greatest statesmen saw a few years ago that upward of a hundred million dollars was being annually sent out of our country to purchase sugar. They had confidence and faith in American capacity to produce this article. The Agricultural Department of the Government sent experts all over the world to study the secret chemistry of the soil. Seed was distributed to whomsoever would experiment with it. Our national faith was pledged to give it a fair and honest trial. The Republican platform of 1896 boldly said:

We condemn the present Administration for not keeping faith with the sugar producers of this country. The Republican party favors such protection as will lead to the production on American soil of all the sugar which the American people use, and for which they pay other countries more than \$100,000,000 annually.

In the Republican campaign text-book of 1900, issued by the national committee, quoted from by every speaker in the land, there appears the following:

No subject interests the farmers of the United States more than that of the possibility of their being able to supply the hundred million dollars' worth of sugar which our people consume annually, and some facts which have recently been presented show that they are fully justified in their ambition.

The farmers of the country have been encouraged by the Republican party in their ambition to produce the sugar of the country. It was a distinct promise to the farmer that he need not fear that the Republican party would permit the cheap labor and cheap sugar of any tropical territory to be brought in in a manner which would destroy the infant industry of beet-sugar production which the farmers of the United States have, under the fostering care of the Republican party, been building up during the last few years.

The lamented Mr. Dingley, with whom we had the honor to serve, said with his unerring wisdom in the discussion of the tariff act which bears his name:

Nothing can be done to so successfully clip the wings of the sugar trust as to develop our beet-sugar industry, and at the same time confer immense benefit on our farmers and all our people.

While the distinguished chairman of the Committee upon Ways and Means in the present Congress, while that bill was under discussion, advocated establishing a beet-sugar factory in every Congressional district in the United States, assuring us in his own well-chosen language:

We will not disturb our tariff in the next quarter of a century.

And the distinguished gentleman from Ohio [Mr. GROSVENOR] in the same debate said:

There is not a rate of duty, not a principle of tariff taxation, that has not been protested against by the sugar trust and fought to the bitter end before the Ways and Means Committee. We propose that instead of sending \$125,000,000 a year to the foreign countries of the world, most of which goes to pay labor in the production of sugar, we will make it possible for every pound of sugar that we want to be produced in the United States of America. The Republican party comes and offers to the agriculturist of this country this magnificent boon. We will protect the industries of the country in all directions from further demoralization; and we ask you to turn aside hundreds of thousands of acres of the splendid lands of all these States from the production of corn and oats and wheat and potatoes and cotton to be put into an already overstocked market, to the production of sugar, and give to the farmers upon the farming lands of this country a better market with less competition than they now have.

Mr. Chairman, the great States of Michigan and Wisconsin, California and New York, Colorado, Utah, Oregon and Montana took these distinguished statesmen at their word; had faith in the promise of our party declaration. Upward of twelve and a half million dollars has been invested in the sugar industries of Michigan. More than 20,000 farmers heard the bugle blast of the gentleman from Ohio, and are to-day under contract cultivating the sugar beet. At the time you spoke, sir, there was not a sugar factory in the whole State of Michigan. Now there are ten in successful operation. And if you will but recall this measure and give the assistance to Cuba which we all desire to give in another and simpler way, not involving a change of the policy of our Government, ten new factories will be completed this year.

I know it is claimed that this cut of 20 per cent will do our present factories no harm; but, Mr. Chairman, when the Dingley law was passed and you invited us to engage in this business you did not say that you would even agitate a change in the tariff, much less reduce it by 20 per cent.

But I do not need to refresh the gentleman's recollection by turning to the utterances of anyone but himself. In the testimony before the Committee on Ways and Means Mr. Carey, an expert sugar man, was asked by General GROSVENOR:

Is it possible, in your judgment, to make a concession to Cuban sugar that will benefit the Cuban people and still not injure the production in the United States of cane and beet sugar?

And the answer of Mr. Carey was:

I do not think anything about it; I know that it is not.

And Mr. GROSVENOR replied:

Nobody could help knowing that who knew enough to put two and two together.

[Applause.]

I ask the gentleman from Ohio whether he has suddenly changed from his attitude of hostility, which that remark disclosed, to one of general approval of the subject under consideration?

The fact that it will do harm must be admitted when you realize that it will benefit our rivals. Men who have engaged in this industry are frightened and alarmed. Banks and financial institutions are disturbed by the agitation of a reduction and by the call for a further and a larger cut. Loans are difficult to obtain, securities have been impaired, danger lurks in the principle you would have us adopt to-day.

Is it not the height of political wisdom to make our country independent of foreign sugar supply? Fifty years ago the consumption of sugar per capita was but 22 pounds. Last year it was 68 pounds per capita. The growth of our country, the increase and multiplied uses to which sugar will be put will some day, and not far distant, equal an annual expenditure of \$200,000,000. What a tremendous drain that will be upon the resources of the country. How absolutely inexcusable if our policy should result in the destruction or the permanent impairment of this industry.

If we were in ignorance of what could be accomplished by a consistent and American course, there might be some excuse for doubt and hesitation and even a change of policy. But within the lifetime of every man upon this floor domestic industry has been stimulated and our country made independent of a European supply.

How recently the late President, then Congressman, McKinley was jeered upon this floor because he dared to advance the theory that a tariff of 2.2 cents a pound upon tin plate would stimulate its manufacture here. At the time he made the statement there was not a pound of tin plate being produced in the United States, although there was and had been for years a revenue tariff on tin plate of a cent a pound. What a din of incomprehensible noises filled the air after the enactment of this measure! Misrepresentation seemed to be the principal avocation in every community. Housewives laid in a supply of tin dishes in order to take advantage of the price before the bill went into effect.

We were expending in Wales \$20,000,000 every year for tin. There are men upon the other side of this Chamber to-day who did not believe that tin plate would ever be manufactured in the United States as the result of the McKinley law.

Prior to its enactment we imported 650,000,000 pounds annually from Europe. The first year of the law we made in America 13,000,000 pounds of tin plate, the third year 139,000,000 pounds, the fifth year 304,000,000 pounds, and in 1900 there was manufactured in the United States 1,000,000,000 pounds of tin plate.

[Applause.]

We no longer send our money abroad for the employment of the laborers of Wales. Twenty-three thousand American citizens now labor daily in the tin mills of our own country, while upwards of \$15,000,000 is annually paid to them in wages.

Are you proud of your prediction? Do you enjoy the distinction which you have attained as a political prophet? This vast army of laborers in the tin mills of America are the patrons of the carpenter and the bricklayer and the mechanic and the farmer of our own country, stimulating every community in which they labor.

My distinguished friend from Maine [Mr. LITTLEFIELD] and myself had the pleasure, in the last campaign, to personally inspect a modern tin-plate mill near my own home, and I can not tell you the joy I felt when I realized for the first time how effective had been the policy of the noble and lamented McKinley.

[Applause.]

You will be as proud, my protectionist friends, over the sugar industry of the United States, and the benefits will be a thousand times more far-reaching if you will but give it the same full measure of protection as was given to the tin industry of our country.

I am opposed to this policy urged by the committee, because I deem it the height of unwisdom to change the economic policy of our country, where a large and growing industry is affected. Cuba does not need our sympathy. She may well profit by our wisdom and our example. She needs to be encouraged in the principles of Government best calculated to her largest development.

I think if we encourage her to become merely the producer of sugar we will do her infinitely more harm than good. You may ask what I would recommend. Possibly there is no wisdom in the suggestion, but, Mr. Chairman, if I had my way I would propose to the first congress of Cuba that she follow the wisdom of the early fathers of the American Republic and put about her rich possessions a protective tariff which would develop the multiplied resources of the territory and stimulate the people into the diversified avenues of commerce and industry. [Applause.]

Let her drink from the fountain of political wisdom, where we found our most cooling and refreshing drafts.

Cuba is rich in resources, specially favored by climate, with harbors unsurpassed. I think too much of her to consign her to the permanent fate of cane-sugar production, which makes her labor semislave, and will keep the standard of her citizenship very low.

She has virgin forests with a rich and rare variety of woods. She has iron and copper undeveloped and unexplored. The mountainous end of eastern Cuba is most highly favored and will produce lemons equal to the Mediterranean shore between Marseilles and Genoa, and is one of the finest regions for coffee culture in the world, particularly between Santiago and Guantanamo and from Cape Maysi to Baracoa, on the northern side.

I long to see Cuba rich and prosperous. I paid my first visit to the island when the reciprocity of Mr. Blaine was at its height. I know the condition of her people then and never shall forget as long as I live the thrill of satisfaction I felt when I saw American flour piled upon the wharves at Habana, Matanzas, and other ports. I thought then that reciprocity with Cuba was most desirable, and I think so now, whenever it can be accomplished without injury to the domestic industry of the United States, but I do not believe that any exigency exists in the affairs of Cuba which warrant this radical departure from the policy of our Government, so long established, and I do not believe that the late President McKinley in his last utterance, so full of wisdom, ever intended that the reciprocity which he approved was to be other than in perfect harmony with our protective policy. He always stood solidly upon the Republican platform, which in 1900 declared:

We favor the associated policy of reciprocity so directed as to open our markets on favorable terms for what we do not ourselves produce, in return for free foreign markets.

I have said that I did not believe the condition of Cuba was such as to call for this sacrifice of domestic industry. According to the evidence before the Committee upon Ways and Means, all the labor of Cuba is employed at higher wages than are paid the farm hands of Michigan and Minnesota. According to the report of the War Department just made, the export trade of Cuba, which in 1899 amounted to \$37,435,296, in nine months of 1901 amounted to \$52,861,672, an increase of over 40 per cent.

While Cuban exports have increased, her imports have decreased, indicating a very healthy condition of affairs, and in nine months of the last year she shows a net balance of exports over imports of \$4,244,858.

Truly there is no indication of distress in these figures. The agitation must have found its origin away from the island of Cuba. What kind of distress think you would cause the sugar product of Cuba to increase from 300,000 tons in 1899 to 615,000 tons in 1900, and to over 800,000 tons in 1901, without any modification of our tariff laws?

It is said the Cuban people would be benefited by a reduced tariff duty upon sugar. I can not bring myself to believe this is a true statement. Governor Wood says that 450,000 tons of raw sugar are now stored in the warehouses of Cuba. At \$70 a ton the value of this sugar would be \$31,500,000.

Whom do you suppose owns it?

Take 20 per cent off the duty and in my opinion the sugar trust will pocket \$2,916,000 in the twinkling of an eye. Reduce the duty 50 per cent, as some tariff reformers, like the gentleman from New York [Mr. McCLELLAN], urge us to do, and the owners of this sugar would pocket \$7,290,000. Take the duty all off, as the free traders of our country would have us do, and the owners of this stored sugar would pocket \$14,580,000.

Much sympathy has been worked up for what is styled the "poor Cuban," but, Mr. Chairman, the "poor Cuban" is employed at as high wages as he will receive if the tariff is lowered.

Who is it that has the greatest motive for advocating this reduction of duty?

I do not consult the possible prejudices of men for my conclusions, but I turn to the last annual statement of Mr. Havemeyer's benevolent aggregation, known as the sugar trust, and I find on December 31 last they reported their assets at \$122,551,777, an increase of \$12,380,198 over the assets of the preceding year; and turning to the details of the account I find that this increase grows out of the following situation:

"In 1900 the American Sugar Refining Company had on hand \$22,488,790 worth of raw sugar unmanufactured, while on December 1 just passed they had on hand \$12,248,640 worth of raw sugar unmanufactured, a decrease of \$10,240,150. Does this not account for the failure to sell on the part of the Cuban planter described by the gentleman from New York [Mr. PAYNE]?"

The New York Journal of Commerce, eager as it is for Cuban relief, is frank enough to say that the item of sugar which shows the decrease as above stated, would seem to indicate that the sugar trust has been "carrying a smaller amount of raw sugar

than usual at this season—a move that finds explanation in the anticipated reduction of duties on Cuban sugar by Congress."

No wonder that Mr. Pepper, in his letter to the Evening Star, under date of March 13, says the shipments of sugar from the port of Habana amounted in the week then closed to but 6 sacks (1,920 pounds), not enough to keep the sugar refiner busy for one minute.

Are you so blind that you can not see why this gigantic corporation is carrying so little raw sugar and the purpose it has in view? Are you unwilling to believe that the chief beneficiaries of this reduction will be the sugar trust, which the gentleman from Ohio says opposed the sugar tariff to the bitter end when the present schedule of rates was adopted?

Cuba can produce sugar cheaper than any other country in the world. The French Journal of Commerce says the island has a capacity of upward of 5,000,000 tons, more than twice the capacity of the people of the United States to consume.

When competition has been stifled, when the production of beet sugar has received its final deathblow, who, let me ask you, is the master of the trade in this great article of necessary use? The company organized for the purpose of refining the raw cane sugar of the Tropics. Think you they will not recoup the loss which competition and expensive development have made necessary in order to dispose of a promising rival?

The pathway of the sugar trust is strewn with the wrecks of its competitors, and, oh! what a monopoly this company will enjoy when a false public sentiment, based upon a false foundation, enforces further reduction and gives this company the greatest sugar market in all the world for its domination.

I commend to the chairman of the Committee on Ways and Means [Mr. PAYNE], who honors me by his presence, the attitude of Congressman McKenna, now a justice of the Supreme Court of the United States, who took the same view then that Mr. TAWNEY and Mr. METCALF, of the committee, take in the present Congress. Mr. McKenna, then dissenting from the sugar schedule of the McKinley law, said:

Protection as understood politically is the clear right of all industries or none. The bill (McKinley) in its schedule makes an arbitrary and invidious distinction between the sugar industry and other industries. The Republican House of Representatives should not set this example. Who can say where the contagion will stop? The beet-sugar industry is not only suitable to the circumstances of the country, but of all the range of protected industries not one offers such a brilliant prospect for good. Must an industry be able to supply the home consumption before it is entitled to protection? Protection must be universal, it must be national, or not at all.

Justice McKenna, dissenting from the Committee on Ways and Means, thus stated our position, at a time when there was not a single beet-sugar factory in the entire State of Michigan, if indeed there was one in the United States. We have brought this industry into life by republican doctrine. Do you propose to cripple it at the very threshold of its development?

I do not blame the Democratic party for its hostility to the tariff in the past. You then had reasons for being hostile. You valued slavery then more than manufacturing industry with well-paid free labor. From your view that position was necessary before the war, when much of your wealth was in slaves and free white labor would have caused you trouble; therefore you opposed the imposition of a tariff, calculated to diversify the products of the country and make it all that God intended it to be.

But the South is changing somewhat upon that question, to which I am glad to testify. Still, there are not a sufficient number who can get away from the old prejudices to come out squarely for protection, and we are obliged to force prosperity upon them. We always believed that our country should be independent of the world, that the protective principle would diversify our products, and it has succeeded admirably in so doing. Mr. Chairman, we look for little help from the Democracy. For my part, no alliance has ever been made or attempted with the Democratic party to defeat this measure or to help the position of the minority upon this side. We are protectionists. We believe in the doctrine of protection. In that respect you, my friends, are 20 per cent nearer the Democratic party than we are. [Applause.] We believe in the doctrine of protection. I wish you and your associates would help us repel this assault.

This morning while coming to the Capitol with a distinguished hold-over Democrat of the Cleveland Administration, who occupies one of the most prominent positions in the Government service, he said to me, "How are you coming out in your sugar fight?" I said to him, "I hope we will win. Are you with us?" He said, "No, I am not with you." I said, "Why?" He said, "I am a free trader, and this bill tends in my direction."

We are protectionists. We are not reconcentrados; we are not insurgents; we stand for Republican doctrines; we follow the leadership of that arch protectionist, the lamented McKinley. We take this occasion to say that it is a poor time for you to compromise with the tariff reformers of our country. They have been battering at the walls of protection since hard times have disappeared. They ridiculed off the statute books the

great measure of protection advocated by William McKinley. They drove him from his seat in Congress by misrepresentations. Now do not adopt their policy; do not compromise with error. If you do, you will have a public sentiment in the country in favor of tariff revision which you can not stem or stay until agitation has worked havoc with our industries. We would stay it now. We would stay it with your help; but we would stay it, if we can, without your help. [Applause.]

Mr. Chairman, I said a moment ago that you were throttling this industry at the very threshold. I repeat it. Is there a man on this floor to-day who will not admit that a reduction in the tariff will encourage our rival in the sugar industry? Is there a man on this floor who does not know that to pass this law will stimulate Cuba in sugar production? If it will not stimulate that island why are you passing it? And right here I propose to dissent from the statement of the gentleman from New York [Mr. PAYNE] yesterday that the consumer pays the tax. If the consumer pays the tax, why in heaven's name has not the exporter in Cuba sent his product over here to be consumed? He is holding it because he knows he will be obliged to pay more to get through our custom-house than he will have to pay if your proposition goes into effect.

And I deny the general principle that the consumer pays the tax. That is an old Democratic dogma. It has been worn threadbare in the campaigns of the past. Let me ask you if we to-day put a tariff of a thousand dollars a ton upon steel rails, would the price of steel rails to-morrow be a thousand dollars a ton? Nonsense! Such a price would increase production almost without limit until the price of rails would fall far below the tariff. I deny the proposition that the tariff is added to the cost and has to be paid by the consumer. Why, Mr. Chairman, protection is based upon the principle that it will enlarge the area of production. If we enlarge the area of production and multiply the product the price falls and the consumer is benefited.

Take the article of sugar, for instance. When bounties were placed upon sugar in Europe there was very little sugar produced. In 1840 there was only 1,150,000 tons. In 1900, 8,800,000 tons was produced in the world. I ask you whether the price is higher to-day than it was when we began to protect sugar? Gradually the cost has been reduced. We have increased the volume and we have thereby decreased the price, as we did with tin plate. If somebody in the Fifty-sixth Congress had proposed to take the tariff off tin plate, is there a man on this side of the Chamber who would have voted for it? No; because you have stimulated the tin-plate industry of America to a point where to-day we are supplying all that we consume. [Applause.]

But the gentleman from New York [Mr. PAYNE] said yesterday that there was 450,000 tons of raw sugar now stored in the warehouses of Cuba waiting to be exported to this country, and I rose for the purpose of asking him who owned the sugar. He evaded the question. Who does own the sugar? Let me remind him again of the annual report of the American Sugar Refining Company, just made public, which shows the amount of raw sugar on hand to be much less than last year at this time.

Now, tell me, gentlemen of the Ways and Means Committee—I will give you the opportunity if you will rise—tell me whether the American Sugar Refining Company have not purposely avoided buying raw sugar in Cuba to inflame public sentiment in that island and public sentiment in America in favor of a reduction of duty? If that is the case, who will be the beneficiary of their course? Clearly that company. Are you prepared to do this? Are you prepared to thus demonstrate your benevolent interest in the sugar trust, whose principal owner says he knows nothing about ethics, and if it costs money to destroy competition he will make it up later by increasing the price?

Mr. UNDERWOOD. Will the gentleman allow me to ask him a question?

Mr. WM. ALDEN SMITH. Yes, sir.

Mr. UNDERWOOD. The gentleman says that he is opposed to this bill, because the benefit would go to the sugar trust. I will ask the gentleman if he will stand with us and reduce the differential duty that the trust gets?

Mr. WM. ALDEN SMITH. Does the gentleman favor taking the duty off refined sugar of the world?

Mr. UNDERWOOD. I will say that if an amendment is offered that I think is germane—

Mr. WM. ALDEN SMITH. The gentleman is a member of the Committee on Rules and an able parliamentarian. Do you believe that would be germane?

Mr. UNDERWOOD. I believe that one can be prepared that will be germane.

And now I ask the gentleman to answer my question.

Mr. WM. ALDEN SMITH. I will answer the gentleman by asking him this question: Do you believe that an amendment is germane to take the duty off refined sugar of the world?

Mr. UNDERWOOD. I believe that an amendment proposing to take off the duty on refined sugar coming from Cuba, or other parts of the world through Cuba, is germane.

Mr. WM. ALDEN SMITH. There is not an ounce of refined sugar that comes from Cuba. [Applause on the Republican side.]

Mr. UNDERWOOD. If you want to raise the question you can do it in that way.

Mr. WM. ALDEN SMITH. I will cross that bridge when I get to it.

Mr. UNDERWOOD. If the gentleman wants to strike at the differential duty, it could be accomplished in that way.

Mr. WM. ALDEN SMITH. I will not say to the consumer of sugar in America that we are going to do him any good by taking the duty off refined sugar from Cuba when there is no sugar refined on that island. [Applause on the Republican side.]

Mr. UNDERWOOD. Will the gentleman stand on the proposition that he will not strike at the duty that the trust gets, when he pretends here that we are legislating for the trust? I will ask the gentleman to answer that question.

Mr. WM. ALDEN SMITH. Not if I believe it to be germane.

Mr. UNDERWOOD. I have just stated that a motion to strike the differential off the duty on refined sugar that comes from Cuba, no matter where it is imported from into Cuba, coming from Cuban ports, would be in order.

Mr. WM. ALDEN SMITH. I do not know a single agent of the American Sugar Refining Company in the world. I do not know whether there is one in the galleries of this House now or not; but if he were in the gallery and heard the proposition of the gentleman from Alabama, he must have an expansive smile upon his face equal to that of the gentleman from Alabama, in his pleasantest mood [laughter and applause on the Republican side], because the gentleman knows that that would not affect the sugar trust at all, and would not avail us anything.

Mr. UNDERWOOD. I think you can reach the trust in that way.

Mr. WM. ALDEN SMITH. Will you give your indorsement to that proposition?

Mr. UNDERWOOD. If it comes from Cuba I certainly should. Will the gentleman vote for that?

Mr. COOPER of Texas. I will state to the gentleman from Michigan that there are some Democrats who will vote for it.

Mr. WM. ALDEN SMITH. If I believed it parliamentary, I might do so.

Mr. UNDERWOOD. I think you will have that opportunity.

Mr. WM. ALDEN SMITH. I shall watch the gentleman's vote with a great deal of interest.

Mr. UNDERWOOD. And I will do the same by the gentleman from Michigan. [Laughter.]

Mr. WM. ALDEN SMITH. Mr. Chairman, my friends of the Ways and Means Committee are exceedingly solicitous about the conditions of the island of Cuba. I know something about the conditions of the island from personal observation. I was there during reciprocity ten years ago. I was upon the great sugar plantations of Cuba when prosperity was at its height.

When I returned I had the proud pleasure of an hour's interview with Mr. Blaine, the author of our reciprocity treaties. I believe in reciprocity to-day, but I believe in the reciprocity that does not involve the surrender of the principle of protection.

I again visited Cuba just after the *Maine* went down. I know something of the suffering of those people. I saw the reconcentrado in his camp. I saw the farmers herded upon the Los Focos in Habana and fed like animals. I saw in one ward of the city of Habana more than 8,000 orphan children, many with the marks of the machete upon their heads; and I saw people starving to death by the thousands. Fifteen people died in one day in the doorway of the governor of Matanzas. I saw little children in the last stages of starvation, swollen to such proportion that they looked more like animals than human beings. I sympathized with Cuba then, and I am interested in her to-day. I would do for her more than the gentleman from New York offers to do by this bill.

Let us see about her condition. Cuba is in a transition period. She is passing from military rule to independence, and yet she shows an increase in her export trade of 40 per cent this year. Why does she need our sympathy? The balance of trade is in her favor over \$4,000,000. She is in healthful condition; there is no distress in the island. Labor is all employed at wages better than are paid to the farm hands of our own country. Their sugar output is at its highest point. Would they have increased this output had they not been in a prosperous condition? What caused the increase? Why, the American planters who have gone in and made their investments, the Havemeyers, the Atkinses, men of enterprise and intelligence who have gone down there for that purpose.

I ask you whether this is inimical to our sugar producer? I ask you if it does not threaten his existence? Cuba is the richest spot in the world. It can produce more sugar than any similar area. She has a capacity so great that the sugar producer of America must give up the moment you strike down the barrier. Only one-tenth of the land of Cuba is under cultivation.

I know it will be urged that the American sugar manufacturer might better take this small cut, which will not affect the price of sugar one way or the other, rather than run the chances of annexation.

But in answer to that argument I desire to say that the question of the annexation of Cuba has no terror for the American sugar manufacturer. You throw around that island the strong arm of our Government, make it a part of our territory, guarantee to it the same stability that is guaranteed to every State in the Union, and the island of Cuba will soon be populated by ten million people. Industry will be diversified and resources developed, instead of being merely the producers of sugar the island will be a hive of multiplied industry, the land that now produces sugar cane at a small profit will at that time produce garden stuffs, cereals, and fruit to supply the tremendous demand of her increased population.

While Cuba may become a competitor in other fields of industry, the standard of her citizenship would be immediately raised; her ambition, hopes, and expectations would be confined only to the limitations of the National Union. [Applause.]

Her people would go into the forests, virgin and illimitable. The labor that annexation would drive to Cuba would force the owners of land to cut it up into small farms, to be used in the production of cereals, vegetables, and fruits, profitable at their own doors.

So, my friends, we are not terrorized by annexation. But we want responsibility to precede bounty.

If you will but encourage the farmers of the West to go on growing beets for the manufacture of sugar, you will do for future generations incalculable good; you will diversify the products of the farm in such a way as to bring the price of agricultural lands to the maximum value.

Mr. Chairman, in the State of Michigan we have 20,000 farmers raising sugar beets. They are under contract; they are getting a fair price. Curtail sugar production in America, put a premium upon the business of their rivals, and you instantly cast a gloom over the beet producers. Michigan has a great interest in this question. Michigan believes in the policy of the Republican party. Michigan was the birthplace of the Republican party and has never withheld her electoral vote from our candidates, and our delegation refuses to stand by the grave of a single unredeemed promise of that party. [Applause.] We believe in keeping promises inviolate.

There are men in this gallery who put their money into the sugar industry of Michigan pleading for protection. There is not a drop of water in the capitalization of the sugar-beet industry of Michigan. Every dollar invested is bona fide. Do not drive them from this industry by inadequate protection.

We can at least keep our party pledges. We can at least do what we promised the country to do.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BISHOP. I ask unanimous consent that the gentleman have thirty minutes more.

Mr. LANDIS. I ask unanimous consent that the gentleman be allowed to conclude his remarks.

The CHAIRMAN. The gentleman from Michigan [Mr. BISHOP] asks that his colleague be permitted to proceed for thirty minutes. The gentleman from Indiana amends by asking that the gentleman from Michigan may be permitted to conclude his remarks. Is there objection to the latter request?

There was no objection.

Mr. WM. ALDEN SMITH. Mr. Chairman, if we will keep this protection on, if we will not disturb the sugar industry, it will soon require 3,788,540 acres of farm land to produce the beets which are required for sugar making. It will give to the farmer \$98,000,000 a year for the crop, and the invested capital will aggregate, if it does not exceed, \$745,000,000. The consumer will very soon get the benefit of it.

Give the same measure of protection to the sugar industry of our country that you did to tin, and you will have a product here so large that we can supply the American market for future generations and keep at home the vast sums of money which we have formerly sent abroad.

But I hear people say that the Platt amendment is in the way of Cuban development. I deny it. I have examined the Platt amendment with great care. There is not a line of it which prevents Cuba from making trade arrangements with any country in the world with whom she ever did a dollar's worth of business.

If I am wrong, I ask some member of the Ways and Means Committee to rise and tell me wherein I err. There is not a line of that law which deprives Cuba of a single market she ever enjoyed before the amendment was passed. Indeed, she is privileged to go into the markets of the world. She is there now. Spain is one of her patrons. What we did say in the Platt amendment was that she should make no treaties which should involve her sovereignty—a vastly different proposition.

Cuba will be free soon, as free as the laws of our country and the Monroe doctrine will permit her to be. But, Mr. Chairman, it is false to say that we are depriving her of any great advantage in the world's market. I deny it. I hurl it back as an untruth. It will not stand the test of verity here nor in any legal forum of our country. It is not true. Our Government has done nothing to limit her rights abroad. But the gentleman from Kansas [Mr. LONG] and others will say our national honor is involved. When did we guarantee the prosperity of Cuba? When will our responsibility end? National honor! Read the platform of our party. Read the text-book issued by the Republican campaign committee of 1900 where they distinctly say to the farmer of America that he need not fear that the Republican party would permit the cheap labor and the cheap sugar of any tropical territory to be brought in in a manner which would destroy the infant industry of beet-sugar production in the United States which the farmers of the United States have, under the fostering care of the Republican party, protected and brought into life. [Applause.]

Here your national honor is involved. Guard it well.

We are not insurgents; we are the regular protectionists of our party. We stand upon our platform; we stand upon our principles; we are consistent; we are guided by the past, and look forward to the future with bright hopes and anticipations; we adhere to the party policy.

You are departing from it to give her a little boon for sixteen months, chaining her hand and foot while you feed her gruel from a spoon for a brief period of infancy. Why do you not give her better advice? Suppose that advice had been given to our country in its early history. What think you Washington, Jefferson, and Hamilton would have said? They would have said, "Our possibilities are greater than that." They would have said, as they did say, "Protection will develop and multiply the industries and resources of America." Protection would develop and multiply the industries and resources of Cuba. Do you want her independent? Give her a fair policy. Do you want her to prosper? Do not chain her hands. Do you want her to be truly independent, or are you preparing her for statehood in the Union?

Mr. Chairman, the greatest political wisdom that our country has ever received was gathered from the West India Islands, the birthplace of Alexander Hamilton, who first gave effect and form to the policy of protection; whose wisdom should still rule us, and should be ever present in our deliberations. Give them the advice which Hamilton gave to us and you will make Cuba truly great and truly independent.

I long to see Cuba rich and prosperous; I long to see her independent. I want her proud company in the family of nations. But if you make her a carrier of water and a hewer of wood; if you confine her development to a single industry, you make Cuba a dependent people.

But, Mr. Chairman, I can not bring my argument to a close until I emphasize my entire dissent from the growing tendency of the people, now in the very height of their prosperity, to again attempt the reformation of the tariff.

Our factories are now humming with the rattle of busy looms. Our forges glow with furnace fires. The ports of our commerce stir with the pulses of enlarged trade, and improvements in city, town, and hamlet are adding to the beauty and utility of the land.

Is it not strange indeed that so short a time has elapsed between the abject poverty of our people and the unrivaled prosperity of the present? And yet there are people and journals urging that the time is now ripe for a general revision of the tariff. They hold that the organization of trusts is the natural outgrowth of protected industry. There never was a more fallacious and false statement made by men of wisdom and discernment.

Mr. Havemeyer said before the Industrial Commission that the tariff was the mother of trusts. If that be so, tell me how it happens that free-trade England has more trusts within her Empire than America with all its protection. [Applause on Republican side.]

I do not believe that the gigantic corporations now massing their wealth into single industries need protection for their stockholders. Indeed, I am almost of the opinion that they possibly might be better off without it.

I do not stand in this honored place as the representative of any of these corporations. I stand here to plead for the preservation of the American wage scale in the interest of the happy home of the toiling millions of our laborers.

You strike down the tariff upon iron and steel and the international trust, with headquarters in London, will supply the product of steel and iron to the world.

Which scale of wages think you will be the measure of remuneration given to the labor of that trust?—the American scale or the European scale?

For the preservation of the American scale I stand here to defend the tariff against its false friends. The laborer is the principal beneficiary of our policy. He has no capital except the willingness to labor; that he may use his capital to the best possible advantage, that he may patronize his fellows in other walks of life, that he may educate his children, acquire his own home, humble though it may be, that he may enjoy the comforts, and, indeed, some of the luxuries of life, is the only apology I make for holding unflinchingly to our great protection policy. [Applause.]

I have heard it stated that the leaders in this House and in the Senate desire to enter the coming Congressional campaign with a united party. So do I. You can unite your party for Republican principles; you can unite it for a sound currency; you can unite it for a protective tariff; you can strike it in twain by half-hearted devotion to either principle. [Applause.]

I have no patience with the desire upon the part of the false friends of protection who are constantly parading the volume of our foreign commerce. Much as I value it when it comes without the surrender of our domestic market, still it is as a drop of water in the great ocean when compared to the fabulous market at our own door.

The grand total of our industrial output amounts to over \$20,600,000,000 in the year just closed. What proportion of this vast volume of our annual vitalized energy finds expression in the export trade of the United States? Barely \$1,400,000,000 worth of the products of agriculture, mining, and manufactures.

While it is well to have foreign trade, we must never neglect for one moment the cultivation and maintenance of our larger and greater and more important domestic market. [Applause.]

The prosperity of all the people of our own country must be the object of our undivided solicitude. It is for this that our battle in this instance has been waged. It is for this that we temporarily part company upon the wisdom of this measure.

Keep the tariff on in the interest not of capital alone, but of labor. I plead for the interest of the laboring man. His capital is the muscle of his strong right arm. He must use his capital on the instant or never use it at all. The merchant who has no customer for his wares can store them upon his shelves. The manufacturer may carry his products for a month or for a year, but the laborer can not store his wares. He must sell his time upon the instant or never sell it at all. All things else in nature, except time, are yielding to the genius of man. Death can no longer silence the voice, for the living tones may be preserved in the phonograph.

The old saying that "the mill will never grind with the water that has passed" must be dropped from the list of aphorisms, for the wonderful progress of electrical science has enabled us to stand by the side of the cataract, gather the power of the falling water, store that power, send it across the ocean, and a year later turn a wheel with the force thus appropriated and preserved. But neither God nor man can stay the course of time. Time stands by the dial of the universe, and as the minutes are ticked off he gives them to those who grasp them; but left unclaimed they pass unused, unfruitful, unyielding into the night of the unreturning past. Because labor is thus helpless it is the first to feel the effect of a reduction of values and the last to get the benefit of an inflation. Lower tariffs will flood this market with imported goods, and down will go the price of labor as falls the mercury on a winter morning.

Mr. Chairman, I protest against a revision of the tariff. I protest against the demoralization of our present business prosperity. I protest against the return to a period of certain depression. Prosperity is now upon every hand. Labor is happy with his task to perform; capital is unrestrained in its quest for new ventures.

Gentlemen upon this side the chamber, you would unite us; we would gladly join you. But I ask you to go to the sacred archives of the Republican party, take out the banner of protection so often carried to success on fields of political controversy, wave it proudly above your heads as the signal to fall in; lead on; lead on; and we will follow you. [Applause.]

The leaders of the ancients used to be so solicitous about their followers that they carried urns upon their shoulders burning with perpetual fire. By day the smoke could be seen and they knew where the leaders were. By night they could see the flame and were kept in the true course. Gentlemen upon this side; leaders, if you please; light up the urn of political wisdom. Illuminate the principles of Hamilton, of Lincoln, and McKinley, and

we upon this side will follow you. Lead on! Your destiny shall be our destiny, and united we go to certain victory. [Prolonged and long-continued applause.]

Mr. MORRIS. Mr. Chairman, for the first time since I became a member of this body I find myself opposed to a large number of Republican Representatives, and to some of the leading members of that party, on a measure of general public concern. Under these circumstances it is proper that I should give to the House the grounds of that opposition.

I know that our situation in relation to Cuba is difficult and perplexing, and I am ready to admit, and admit freely, that as to the measures by which that situation should be met men may differ widely and differ honestly and honorably.

It is well to review briefly the history of this measure as it has developed and is now presented. All of us know the literary campaign which has been made with great vigor and persistence from the beginning of this session. In the month of December and January there was scarcely a day when members did not find in their mail pamphlets and other forms of printed matter setting forth the conditions of distress which it was claimed existed in Cuba, contending that we were under obligations of duty and honor and also of self-interest to do something to relieve these conditions, and pointing out a method by which those obligations could and should be discharged.

There was such a uniformity in the method proposed, namely, by an agreement between our Government and that of Cuba about to be organized and put into operation, of which the principal factor was a reduction in duties on the products of Cuba, of which sugar and tobacco and cigars are the principal ones, coming into the United States and a corresponding reduction by Cuba on our products going there, as to arouse a suspicion in some that there was something more beside humanity and philanthropy and patriotism behind this literary propaganda, and that perhaps it was being carried on by certain selfish and sordid interests; and we did not have far to go to guess which was the chief and foremost of such interests.

This constant and widespread agitation was arousing in the country a sentiment that something must be done for Cuba. The cry was, Do something for Cuba. And there appeared here in Washington representatives of those interests which might be affected by the proposed legislation, some advocating it, others opposing any action.

Recognizing this growing sentiment, and also prompted by certain suggestions contained in the message of the President, and the report of the Secretary of War, the great committee of the House—the Committee on Ways and Means—very properly, as I think, determined to hear from the various conflicting interests, and to gather, as far as possible, from all available and reliable sources the existing facts, so that they might intelligently deal with the questions presented. The result of those hearings is before us in a printed volume of more than 700 pages, which I hope by this time is more or less familiar to the members of the House.

From the facts developed by that investigation these questions arise: First, are the conditions in Cuba such that any concession from us, or agreement between us and them, if gentlemen prefer to put it that way, is needed; second, if such concession or agreement is needed, shall it be made, and third, how shall it be made?

Those claiming that such concession or agreement should be made do so on the ground, first, that it is absolutely necessary; that unless it is made universal bankruptcy and anarchy will before long prevail in Cuba; second, that we are bound in honor and good faith to make it by reason of the relations between us and Cuba which have grown out of the war, and particularly the Platt amendment, and third, that it should be done because of the advantages which will come to the United States by reason of the increased trade and consequent commercial benefit which will result.

I shall not allude to the tobacco industry in Cuba. It seems to be conceded on all hands that this is in a flourishing and prosperous condition and likely to remain so. I shall speak only of the sugar situation, for I look upon this as a sugar question only.

For my part I am not at all satisfied that such an agreement or concession is necessary for the welfare of Cuba. The evidence shows that there is no distress now in Cuba. Everybody is employed, and at higher wages than are paid in the same industry in Louisiana. Note what Colonel Bliss says:

I have not spoken of distress except to deny that any existed, so far as I know. It is a long time since I have seen anyone begging on the streets or anyone who wanted work who was not at work at good wages.

We were told that relief must come by the 1st of February, and certainly by the end of that month, or else universal ruin and bankruptcy would prevail and anarchy would reign; and yet the 1st of April has come and gone and still Cuba is prosperous and her industries are going on; no distress, no bankruptcy, no ruin,

And all of us have read from the correspondent of the Washington Star, an ardent advocate of concession or agreement, that—

Things have been exaggerated, that nobody is starving in Cuba to-day or need starve, nor need anybody starve next year.

The chief distress from which they seem to be suffering is the exaction by the Spanish usurers of from 10 to 25 per cent interest on the money they borrow upon which to do business, and if any benefit should go to anybody save the sugar trust from this measure it would in all probability be principally to these Spanish shysters. The whole argument of the gentleman from New York [Mr. PAYNE] was based on the assumption that it costs 2 cents a pound to produce sugar in Cuba, and yet the most reliable testimony, as I think—that of Mr. Saylor—was to the effect that it could be produced at a cost of a cent and a half per pound. This gentleman investigated the conditions there in 1898-9, and he is a man in every way qualified to speak, and his conclusion was that it could be produced at that cost. He was asked if the increased cost of labor since then would not make it more now, and he said he thought not; that while their labor had advanced in wages the improved conditions in the country and their better organization and machinery would make up for that, and that he thought one would about offset the other. The gentleman from New York stated that sugar was to-day worth about 1.81 in Cuba and had been for some time. If that is true, and sugar can be produced there for a cent and a half, the Cuban would now make a profit of 31 cents a hundred pounds—a pretty fair profit. I have no doubt any newly organized beet factory one or two years old would be satisfied with that profit.

Nor am I satisfied that we are bound by any moral obligation growing out of the war or the Platt amendment to make this agreement. We have given to Cuba that for which her people made a heroic struggle and endured untold misery and hardship—liberty and freedom from the Spanish yoke. For this we have spent hundreds of millions and have given thousands of noble lives. We have relieved her of millions of dollars annually in taxes to Spain and from a bonded indebtedness of hundreds of millions which Spain would have put upon her. We have restored order where chaos reigned. We have established government and administered it with an honesty and efficiency which will serve as an example and model and guide to the new republic. We found her the home of disease and death. We will leave her the abiding place of health and pleasure and beauty.

But they say we have deprived her of her markets, destroyed her industries, and, by the Platt amendment, tied her hands so that she can not negotiate and establish favorable commercial agreements. We have done no such thing. We have always been Cuba's best market—practically her only market for sugar—and we are to-day her best market, and her only sugar market. There is scarcely to be found a parallel for her industrial, especially her agricultural, revival since the war. Let anyone examine her sugar production—in 1897 something more than 200,000 tons, this year 850,000 tons. Peace and plenty are on every hand. Let anyone examine the Platt amendment. The benefit is theirs, the burden is ours. There is no control whatever over her commercial treaties and agreements. There is no control over her at all, save that she shall not endanger her independence or contract debts she can not discharge.

It is also claimed that we have promised to establish and maintain a stable government, and that without commercial prosperity this can not be done, and that therefore we must establish and maintain commercial prosperity. We undertook to pacify the island and pledged ourselves when that was completed to leave Cuba and its government to the people of Cuba. By the Platt amendment we reserved the right to intervene to preserve her independence. Nowhere have we agreed to guarantee commercial prosperity or a stable government. We do not make any such guaranty to any State in the Union, and ought not to. Surely we could make none such to a foreign country.

It is also claimed that the relationship of guardian and ward has existed between us, and from that has sprung this moral obligation. As guardians we were bound to a faithful, honest, and diligent administration of the estate. This we have given. As I have shown, we found that estate heavily encumbered and in a condition of utter wreck. We have put it in order and cleared off every incumbrance and are ready to turn it over to the ward a magnificent inheritance. With this we are ready to send him on his way rejoicing.

It would seem, then, that we have in the fullest measure discharged every obligation to Cuba, and that when next month we turn the island over to her people we will exhibit to the world an example of faithfulness and generosity which finds no parallel in recorded history.

But be all this as it may, I for one am willing, if there is any question about it, to do more. Let us admit, for the sake of the argument, that we are in honor bound to relieve her from present embarrassments, if any such exist, and let us admit, for the

sake of the argument, that such embarrassments do exist. Let us also admit that we can and will secure advantages in trade which will be of value to the United States. I am not willing to extend that relief and secure these advantages in such a way as to injure or destroy one of our own industries, or to violate the promises we have made to our own people. And this brings me to the proposition now under consideration.

The Republican members of the Ways and Means Committee after the hearings asked for a conference of Republican members of the House and sought advice upon a measure which they had not all agreed upon, but which was the proposition commending itself under all the circumstances to more of the members of the committee than any other proposition. In the fewest words it was this, that we should enter into an agreement with Cuba by which we should grant to Cuba a reduction of 20 per cent in our tariff rates on articles coming from Cuba in consideration of equal concessions to us on articles going from the United States to Cuba, and also upon the condition that they should enact our immigration and exclusion laws. After repeated conferences and long discussion this proposition was found to be unsatisfactory to a majority of the Republicans, and so it has been modified and has taken the shape in which it is now presented. The modification is that the agreement and its operation shall extend only to the 1st of December, 1903.

I was opposed to the original proposition. I am opposed to the modified proposition, and I think I shall be able to show before I conclude that it is worse than the original one.

Let us first consider the original proposition. I was opposed to the proposition. First, because I do not believe it would accomplish the object sought to be accomplished.

If the evidence before the committee on behalf of those favoring tariff reduction is worth anything the amount of reduction proposed is entirely insufficient, and if I understood the gentleman from New York [Mr. McCLELLAN] correctly on yesterday that was the burden of his argument. With one accord the witnesses testified that nothing less than 50 per cent would do at all, and some of them thought that free sugar alone would be satisfactory. In this view, as to the 50 per cent, General Wood, in his letters and interviews, has concurred, and Mr. Palma, the president-elect of Cuba, in an interview, which has probably been sent to every member of this House, used these words:

It is impossible to improve the bad condition of our principal staple—sugar—by reducing the American duty only one-third. In that way the problem will not be solved at all. The clamor for further reduction will continue. * * * Therefore it is absolutely necessary that the concessions should reach 50 per cent of the actual duties, so as to give the producer a reasonable gain.

Now, if this be true, not only will this reduction fail to relieve Cuba, but it will only serve to continue the agitation and will thus, as I shall show further on, discourage and retard, if it does not entirely arrest, the further development of an important American industry.

But a reduction of duties, whether great or small, will fail of its object, because it will not inure to the benefit of the Cuban planter, but will in all reasonable probability be absorbed in whole or in part by the American sugar refiners, or what is commonly known as the "sugar trust."

Whenever any legislation involving the sugar schedule of our tariff laws is proposed, at once the forbidding and overshadowing form of this colossal combination appears. And it is no mere specter or creature of the imagination conjured up by those who know its power and fear its evil influence, but is a real, substantial, and potential presence. And it must be considered and reckoned with. That the American refiners are practically one body crops out everywhere in the testimony. I call attention to the testimony of Mr. Armstrong, a sugar broker of New York, and who is therefore certainly acquainted with the facts as to this. On page 78 of the hearings he testifies as follows:

The CHAIRMAN. Is it not a fact that during the past three years the margin between the raw sugar and refined sugar has been much smaller than during the two or three years preceding? For instance, before 1897 was it not a cent and a quarter, and since 1897 has it not been reduced to fifty-one one-hundredths, say last summer?

Mr. ARMSTRONG. That is owing to conditions, which I will have to explain to you. Before 1897 there were times when it was 1½, and there were times when it was even more, but probably it averaged about a cent. Something over a year or two years ago there were one or two independent refineries built, and war broke out between the sugar trust and the independent refineries and the trust broke down rates to a very low point for the sake of knocking out those one or two refineries, and when that was accomplished prices advanced again, and when you take the average of all that time you get the fifty-one one-hundredths.

The CHAIRMAN. They have knocked out the independent factories in the last two or three years?

Mr. ARMSTRONG. Yes, sir; they bought them out.

The CHAIRMAN. They bought them all out except Arbuckle?

Mr. ARMSTRONG. There is the National Refining Company, which suffered with the others. I believe now they operate together.

The CHAIRMAN. They all operate together now, so the only regulator of the refined sugar is the beet sugar interests?

Mr. ARMSTRONG. Yes, sir.

But if anyone still doubts this, I also invite his attention to the

statement of Mr. Havemeyer before the Industrial Commission in the testimony before the committee.

Again, I call the attention of members to a table on page 578 of the hearings. By this table it is shown that in the year 1901 Cuba sold in the American market 500,409 tons of sugar and in the markets of all other countries but 73 tons. Besides, the testimony shows that by reason of export bounties and the cartels which prevail in the sugar-producing countries of Europe the European sugar producer is able to sell his surplus; that is, what he has left after supplying his own country—and he has his own market preserved to him by absolutely prohibitive duties—below the cost of production, and therefore the Cuban has nowhere to go with his sugar except to America.

Again, I call attention to the testimony of Mr. Atkins at the bottom of page 1 and the top of page 2 of the hearings. He there states that there is in the world to-day more than 1,500,000 tons of sugar over and above the world's consumption. In other words, a supply in excess of the demand of more than 1,500,000 tons.

Now, what do these facts prove? The Cuban has an article to sell of which the world's supply is largely, enormously in excess of the demand. He has but one market—the American market—in which to sell that article. Suppose in that one market there were a dozen buyers, is it necessary to make any argument to show that, within wide limits, those buyers would be able to dictate prices. Could not those buyers say to the Cubans, we will pay so much for your sugar, and if you will not take that, why we can and will go to Germany or France and buy what we need? It surely can need no argument to show that this would be the situation.

But when we go a step further and suppose that in that one market there is practically one buyer, and that one buyer the sugar trust, will members ask themselves the question what the result would be then? Will not this buyer be able to absorb this reduction in duty, and if he can absorb it will he do it? Is this great combination actuated by considerations of benevolence, or morality, or humanity, or philanthropy? If there is any member who is so—I was about to say foolish, but I will say credulous and charitable as to believe that, I again invite his attention to the statement of the head of that combination before the Industrial Commission. And if it is not actuated by these considerations, what consideration is left? There can be but one—its own profit and gain. And how will it reap that profit except by taking to itself the whole or a part of this reduction?

But aside from these general considerations we have the highest authority in this House—none other than the Ways and Means Committee—for stating that the sugar trust will absorb and appropriate to its own profit the reduction in duties. And I have no doubt if the tables were turned and these gentlemen stood with me on this proposition they would be making the same argument I am making. Here is a report made from that committee, a unanimous report of the majority, a Republican majority, composed largely, almost entirely, of the same members who compose it now. This report was made on the 26th of May, 1900, by the distinguished gentleman from Ohio [Mr. GROSVENOR], but he is no more to be held responsible for it than are the other members for whom he spoke. It was made upon a resolution offered by the gentleman from Tennessee [Mr. RICHARDSON], providing for the admission free of duty of sugar from Porto Rico and Cuba. I read from that report:

Following that abortive effort comes this resolution, and if this resolution should pass it would place upon the free list the molasses and sugar hereafter to be imported into the United States from Cuba and Porto Rico. The present product of Porto Rico amounts to something like 60,000 tons for this year, and would not be a very considerable sum of money, but when there is included in this proposed addition to the free list of the country the product of Cuba the item becomes an enormous one.

Following is a table of the imports of molasses and sugar dutiable from those two places, and the entire importations from all countries classified in proper order:

Imports of molasses and sugar, dutiable, year ended June 30, 1899.

Articles.	Total, United States.		Cuba and Porto Rico.	
	Quantities.	Value.	Quantities.	Value.
Molasses..... gallons..	5,806,256	\$789,084	5,077,703	\$390,399
Sugar, not above No 16 Dutch standard:				
Beet..... pounds..	723,336,352	15,269,307		
Cane..... do.....	2,731,868,574	60,714,089	770,346,000	18,907,773
Sugar, above No. 16 Dutch standard..... pounds..	62,745,703	1,692,951	5,427	159
Total..... do.....	3,517,950,689	77,676,437	770,351,427	18,907,932

Cuba and Porto Rico furnished 24.5 per cent of the total importations of cane sugar imported in quantity, and 31.1 per cent in value.

The average rate of duty on cane sugars not above No. 16 Dutch standard was equivalent to 74.31 per cent ad valorem, and the total amount of duties collected on such sugar imported from Cuba and Porto Rico in the year ended June 30, 1899, was \$14,010,366.11. The average rate of duty on sugar

above No. 16 Dutch standard was equivalent to 75.7 per cent ad valorem, and the total amount of duty on such sugar imported from Cuba and Porto Rico in that year was \$120.36. \$14,010,366.11 ÷ \$120.36 = \$116,486.47, the value of Mr. Richardson's proposed yearly gift to the sugar trust, calculated on the importations of 1899, which, of course, will steadily increase from year to year.

By this it will be seen that "Cuba and Porto Rico furnished 24.5 per cent of the total importations of cane sugar imported, and 31.1 per cent in value," and that to now place these commodities upon the free list of the country would, if the same amount of sugar and molasses should be imported during the current year beginning July 1, 1900, and running forward, give to the importers of sugar and molasses something like \$14,000,000. This would be a free gift from the people of the country, and measures the value of the proposed yearly gift to the sugar trust, calculated on the importations of 1899, which, of course, will steadily increase from year to year.

There is probably no commercial organization or trust with a more thoroughly well-organized and self-defending capacity than is the American Sugar Refining Company, and it must be borne in mind that there is no sugar refined in Cuba, or, if any, only the merest trace or small quantity, and that all cane sugar unrefined that comes from that country, or substantially all of it, is received and refined by the American Sugar Refining Company or, perhaps, one of the kindred organizations, which were stated by the great manager of that company to be "under the same umbrella" with the sugar trust.

In other words, if sugar were allowed to come in free from Cuba, the sugar trust would absorb the whole reduction. Now, if with free sugar from Cuba the sugar trust could take to itself the whole benefit, is it possible to escape the conclusion that they could absorb a 20 per cent reduction?

But there is other evidence of absorption by this combination of at least a part of the benefits which were intended for others.

Here is a table on page 578 of the hearings, prepared by the statistician of the Agricultural Department, which gives the average wholesale prices per pound during the year ending June 30, 1901, the last fiscal year, of sugar free on board at the port of shipment in Germany, Porto Rico, Cuba, and the Hawaiian Islands. These prices are as follows:

Sugar not above No. 16 Dutch standard (raw sugar).

	Cents.
From Germany (beet sugar).....	2.2
From Porto Rico (cane sugar).....	3.4
From Cuba (cane sugar).....	2.4
From Hawaii (cane sugar).....	3.9

I have also here a statement from the Treasury Department showing that the raw sugar imported from Germany during that year was practically all 88° rendement, or 94½° by the polariscope. I have also a statement from the same source showing all the sugar imported from Porto Rico during that year, the different degrees, and the number of pounds of each degree, and the prices. A calculation shows that the average was 92½°, and the average price, as above, 3.4 cents per pound. I have not been able to get a similar statement as to Cuba, but I have been able to get statements which go to show that Cuban sugar has a higher average, a little above 95°. The speech of the gentleman from Kansas [Mr. LONG] before the Republican conference shows that it averaged in the month of January, 1902, more than 2½° higher than Porto Rican sugar.

I have also a statement from the same source that the average polariscopic test of the sugar imported from Hawaii to San Francisco was 96.7°. This is perhaps too high a general average for Hawaiian sugar, although I am informed that Hawaiian sugar is of very high grade. It is safe to say that it is 96° and a little over. I have also a statement from the same source of the freight rates per hundred pounds, as follows:

	Cents.
From Hamburg to New York.....	8
From Porto Rico to New York.....	12
From Cuba to New York.....	8
From Hawaii to San Francisco.....	15

The hearings show that cane sugar is more valuable to the refiner than beet sugar, and I have made inquiry of the most reliable expert and scientific source in the Government departments as to the difference in that value, so that I may give it fairly and conservatively in the figures I am about to make. I learn there that cane sugar is worth about 10 cents per hundred pounds more to the refiner than beet sugar, degree for degree.

The hearings show conclusively, and nobody here can or will deny it, that the German or Hamburg price fixes the price the world over and that all comparisons should be made on that basis.

Sugar from Germany had to pay here a countervailing duty to offset the export bounties. Sugars from Porto Rico, Cuba, and the Hawaiian Islands had to pay no countervailing duty. Sugar from Hawaii paid no duty. Sugar from Porto Rico paid in 1901 15 per cent of the Dingley rate. Sugar from Germany and Cuba paid the full Dingley rate.

Now, with these facts before us, let us see what was being done in the year 1901 by the American buyer—the sugar trust—as to sugar coming from these countries. If the trust was paying all it ought to have paid to the sugar producers of Porto Rico, Hawaii, and Cuba to put them on a parity with the Hamburg prices, the equations for the different countries ought to have been as follows:

For Porto Rico.—Price at San Juan + freight to New York + duty + greater value to refiner = price at Hamburg + freight to New York + countervailing duty + duty.

For Hawaii.—Price at Honolulu + freight to San Francisco = price at Hamburg + freight to New York + countervailing duty + duty + greater value to refiner.

For Cuba.—Price at Habana + freight to New York + duty = price at Hamburg + freight to New York + countervailing duty + duty + greater value to refiner.

Putting in the figures per hundred pounds, we have the following:

For Porto Rico.—\$3.40 + \$0.12 + \$0.23 + \$0.05; total, \$3.80 = \$2.20 + \$0.08 + \$0.27 + \$1.63; total, \$4.18.

For Hawaii.—\$3.90 + \$0.15; total, \$4.05 = \$2.20 + \$0.08 + \$0.27 + \$1.63 + \$0.25; total, \$4.43.

For Cuba.—\$2.40 + \$0.08 + \$1.65; total, \$4.13 = \$2.20 + \$0.08 + \$0.27 + \$1.63 + \$0.15; total, \$4.33.

Thus we see that in no case do the two sides of the equation balance as they ought to do when we put in the figures. The difference for Porto Rico is 38 cents per 100 pounds, for Hawaii is 38 cents per 100 pounds, and for Cuba is 20 cents per 100 pounds. In other words, we see that the American buyer, the sugar trust, was paying to the Porto Rican 38 cents per 100 pounds less than he ought to have paid on all of the sugars brought from that island to New York during the fiscal year 1901, to the Hawaiian 38 cents less per 100 pounds on all the sugar brought from those islands to San Francisco during the fiscal year 1901, and to the Cuban 20 cents less per 100 pounds on all the sugar brought from that island to New York during the fiscal year 1901.

Again I call the attention of members to the statement of Mr. Leavitt, on page 250. The German has to pay a countervailing duty to get his sugar in; the Cuban has to pay no countervailing duty. The Cuban sugar should, therefore, have a margin of 27 cents per hundred pounds over German sugar delivered in New York. That statement shows that on that day, January 21, 1902, somebody was taking that margin which ought to have gone to the Cubans and 4 cents besides.

Now, will some member guess who was taking to himself these amounts which ought to have gone to the Porto Rican, the Hawaiian, and the Cuban? Can there be but one answer? If some member will make the calculation he will see that it runs into the millions of dollars.

Thus it will be seen that I have demonstrated, with the exactness of a theorem in Euclid, as far as such a thing is capable of demonstration, that the sugar trust could absorb or take to itself this reduction, and that it has in other cases been doing that very thing, in part at least. I think it entirely probable that the figures do not make it as bad as it actually has been.

But there are other circumstances which it might be well to consider. Why are the representatives of the sugar trust here, and why have they been here from the beginning of the session, if the Cuban is to get the whole benefit of this reduction? In that event, what interest have they in it? And why should they be here? That they are here urging this reduction we are all satisfied. We have the highest authority for believing so, none other than the most distinguished and prominent member of this House. Here is his letter to one of his constituents. He says:

Those contending for Cuba want a reduction of 50 per cent or a clean sweep of duties between us and that country. Contending for this doctrine is, first, the American sugar trust, which is here in the person of its ablest managers.

Again, here is a statement from the last report of the sugar trust, showing that they had on hand on the 31st of December, 1901—last December—more than \$10,000,000 worth of raw sugar less than they had on hand the 31st of December, 1900. Why should they thus run down their stock of raw sugar unless it was that they were waiting for this reduction to go into operation? And why should they wait for this reduction unless they expected to profit by it? Surely the trust knows its business. The New York Journal of Commerce, a paper that is strongly advocating reduction, has this to say about it:

The item of sugar, raw, unmanufactured, etc., is given at \$12,248,640, a decrease of \$10,240,150. From this it would seem that the company has been carrying a smaller amount of raw sugar than usual at this season, a move that finds explanation in the anticipated reduction in duties on Cuban sugar by Congress.

How innocently and strangely they deny their own doctrine, if it is the relief of the Cuban only that they are concerned about.

Let members scan the witnesses who appeared for reduction. Almost without exception the Americans amongst them have some connection, more or less close, with the sugar trust, or some of its members or officers. Is this mere chance? Let any member answer that to himself sincerely and frankly. Ah, gentlemen, the great-hearted, generous American people want to help Cuba, not this combination.

And yet from the foregoing considerations it would seem to be impossible to escape the conclusion that this combination will be the principal beneficiary of reduction. And they know it, whether others do or not.

Now, if this be true, I am ready to state a second ground on which I am opposed to this reduction, and it is a good Republican ground. It is because it will injure and prevent the further development of an American industry—an industry just beginning

to show that growth and development which we all hoped and predicted for it in 1897 when we passed the Dingley tariff law.

I have here a statement from the Agricultural Department showing that up to the year 1897 there had been established and put in operation only 6 beet-sugar factories. Since then the number has increased to 42, and 8 are in process of construction, making 50 in all. The product has increased from about 40,000 tons to 185,000 tons the year just closed, and if a sufficient quantity of beets could have been obtained and the factories could have been operated to their full capacity that product would have been very much greater.

Besides, there were during the last year 83 projects for the establishment of beet-sugar factories in various stages of organization and capitalization.

I will put in here a statement, compiled principally from the hearings, pages 571 to 574, giving the figures in reference to this industry.

Beet-sugar factories established and put in operation up to the year 1897, 6. These, together with those established since, make a total of 42.

As to these factories we have the following statement:

Invested capital in factories, equipment, and grounds.....	\$30,000,000
Annual amount of beets purchased..... tons.....	1,875,000
Annual cash paid for beets purchased.....	\$7,500,000
Annual coal consumed..... tons.....	202,500
Annual cash paid for coal.....	\$787,500
Annual lime rock purchased..... tons.....	150,000
Annual cash paid for lime rock.....	\$300,000
Annual operating capital employed (per annum).....	\$5,000,000

Beet-sugar factories in process of construction, 8. Beet-sugar projects in various stages of organization and capitalization, 83.

REQUIREMENTS.

These 83 factories would require:

Investment.....	\$49,000,000
Working capital.....	9,000,000
Beets purchased from farmers.....	14,700,000

REQUIREMENTS FOR HOME CONSUMPTION.

It would require 500 factories having a daily capacity of 500 tons of beets to produce by the time they could be put in operation all the sugar we would consume outside of what we get from the State of Louisiana, the Hawaiian Islands, and Porto Rico.

REQUIREMENTS OF THESE FACTORIES.

Invested capital.....	\$250,000,000
Annual amount of beets..... tons.....	18,750,000
Annual cash paid farmers for beets.....	\$75,000,000
Annual coal consumed..... tons.....	2,625,000
Annual cash paid for coal.....	\$7,875,000
Annual lime rock purchased..... tons.....	1,500,000
Annual cash paid for lime rock.....	\$3,000,000
Annual operating capital employed.....	\$45,000,000

In addition to this vast sums for coke, mill supplies, labor, transportation, etc.

From all this it can be seen that if the beet-sugar industry should continue to grow and develop as it has done in the past three or four years, since the passage of the Dingley bill, it would in a very few years supply, along with the sugar from Louisiana, Porto Rico, and the Hawaiian Islands, all American territory, the entire demand of the American people.

Now, the product of the American beet-sugar factory is white granulated sugar—that is, sugar of a grade equal to the refined sugar of the trust. It is, therefore, a competitor and rival of the trust, whose business it is to refine raw sugar, and is its only competitor and rival in this country.

If this industry should grow sufficiently to supply the American demand, and the Louisianans, and Porto Ricans, and Hawaiians should refine their own sugar, as they would do but for the overshadowing power of the trust, the sugar trust would have to go out of business. The sugar trust has just begun to realize that the beet-sugar industry, if allowed to continue to progress as it has done in the past two or three years, will put an end to its career of greed and extortion, and is therefore anxious to do, or to see done, anything that will injure it.

The result is that the trust is engaged in an unceasing and relentless warfare against this industry. We can well understand what that warfare means at the present stage of development in the beet-sugar industry when we recollect the almost complete monopoly which the trust has of the American market and the enormous profit it is and has been making. What these profits are anyone can calculate who will remember that we consume about 2,400,000 tons each year and that the trust refines it all with the exception of about 230,000 tons and makes a profit of about one-half a cent a pound. He will find that those profits amount each year to nearly as many million dollars as it would cost to build new the entire plant of the trust. It is these profits which has enabled the trust to water the stock of plants which could all probably be reproduced for \$25,000,000 to \$30,000,000 and pay each year enormous dividends thereon.

It is these profits which have enabled the sugar trust to go into the territory where the beet-sugar producer finds his market and

sell sugar for 3½ cents per pound—that is, at a price which would cause a loss to the trust and also to the beet-sugar man—while at the same time it was selling in other parts of the country for 5½ cents per pound.

It is the unceasing and relentless warfare of the trust that the beet-sugar producer fears and ought to fear. It is in this that his chief danger lies. If, therefore, a reduction in duties on sugar coming from Cuba would add to the already enormous profits of the trust, as I have shown it would, we would by granting that reduction be adding strength to the arm, and placing an additional weapon in the hand, of the trust with which to strike and cripple and crush the beet-sugar factory. Let gentlemen here make a calculation. If the importations from Cuba should be 800,000 tons of 2,000 pounds each, and the evidence seems to indicate that it might reach 850,000, and if the trust should take to itself only one-half of the reduction, we would by this legislation be making them an annual present of \$2,696,000.

From what I have said it is impossible to escape the conclusion that the sugar trust can, if it will, absorb the whole of a 20 per cent reduction made to Cuba, and that it will, as it has done in the cases I have stated before, absorb a part of it at least. If it should take to itself one-half of it, we will be making an annual present to that combination of more than two and a half millions. When we take this out, and also that part which might go to absentee Spanish landlords, and to the Spanish usurer, and to those Americans, most of whom are more or less intimately associated with the sugar trust or its officers, and who, instead of investing their money at home in America, are now exploiting Cuba for their own selfish purposes and crying out to the American people in the name of God and humanity, what will be left for the Cuban planter and laborer proper?

Now, if this legislation shall have the effect to stimulate Cuban production by these American commercial soldiers of fortune, these American syndicates which have gone to Cuba to invest their money instead of investing it at home, or if it shall put additional millions into the already bulging pockets of that commercial buccaneer, Mr. Havemeyer, and his trust, or if it shall have both of these effects, what must be the inevitable result to our domestic sugar industry, especially the beet-sugar industry? There can be but one answer.

Will not the power of the trust to go into the territory of the beet-sugar people, and put prices down to a ruinous figure, while they are entirely maintained elsewhere, which they have done with full duty-paid sugar from Cuba, be augmented by many millions? And if this is true, will not those beet-sugar factories already established, in the face of such tremendous difficulties, have those difficulties greatly increased? And will not the chances of profits to them be greatly diminished? Indeed, would not their profits be put practically at the mercy of the sugar trust? It seems to me there can be but one answer to these questions.

But there is a still more important consideration. What will be the effect on the further development of the beet-sugar industry now so promising? Would another company be organized or another factory built? With this reduction already granted, and agitation for still further reduction, would any prudent man put his money into such an enterprise? Would he not be little less than a madman to do so? Would not any man thinking of so investing his money say to himself, "This is but the beginning; I think I will put my money into something else." It seems to me there can be but one answer to these questions. The further development of the industry would be at an end.

Now, if these things be true, I am opposed, in the third place, to this legislation, because it is a clear violation of Republican platforms and principles and of a specific Republican pledge. I do not believe we as Republicans can, in good faith, in honor, support this legislation. Here is an industry—an infant industry, if we have one—not yet upon its feet, just struggling to its knees, just beginning to show signs of a healthy and vigorous growth, just at the period of its development when it needs all the protection and encouragement we have given it, not only as other industries have needed it, but also because of its life-and-death struggle with this great combination—an absolutely domestic industry from the planting of the seed to the marketing of the product—an industry in which farmers as well as manufacturers are interested, and which will be a great boon to the farmers. Gentlemen on this floor who favor this measure say this is no time for tampering with tariff schedules; that at this time of the most phenomenal and unexampled commercial and industrial prosperity that this or any other nation has ever known we can not afford to do that which may even by any possibility tend to weaken or destroy confidence; that even though some of our industries, like steel and glass and many others, have reached a strong and robust manhood, have come to that point when they defy competition with all the world, we must not touch their tariff schedules at this time.

With these gentlemen I agree, and with them I expect to vote.

But how can they reconcile their position with this legislation? How can they single out this little, weak, struggling, not half, not a quarter developed, just beginning to develop industry at which to strike a blow. I can not believe we can in honor take this step. Here is the platform on which we came back into power. Here are the pledges we gave to the people. I read from the tariff plank of our platform:

The ruling and uncompromising principle is the protection—

But this is not all; not only the protection of that part of an industry already existing. Ah, gentlemen, not that alone, but this—

and development of American labor and industry.

Mark the word "development." And this:

We condemn the present Administration (the Democratic Administration) for not keeping faith with the sugar producers of this country. The Republican party favors such protection as will lead to the production on American soil of all the sugar which the American people use, and for which they pay other countries more than \$100,000,000 annually.

Must we not in good faith, in common honesty, in honor, keep these pledges? Will we be keeping these pledges if we now strike at this industry—at this time, of all times? Look at the industry—beginning with 6 factories in 1897, and now 50 factories already built or in process of construction; more than 80 more in sight; a development just beginning to give evidence of a successful and enduring and complete establishment. Leaving out the question of those already established, should we arrest this development? Ah, gentlemen, there can be but one answer. How well I remember the great debate on the Dingley bill in the spring of 1897. That was my first session. Let me read from some of the great men:

Mr. THAYER. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Massachusetts?

Mr. MORRIS. Well, I would prefer not, but I yield to him.

Mr. THAYER. I notice that the gentleman repeats with a good deal of pride the platforms of the party by which he was nominated and elected. I want to ask him if he is now repudiating the doctrine and policy of the great, peerless leader of the Republican party when he recommended to Congress and proposed a policy toward Cuba in these words:

In the case of Cuba, however, there are weighty reasons of morality and of national interest why the policy should be held to have a peculiar application, and I most earnestly ask your attention to the wisdom, indeed, to the vital need, of providing for a substantial reduction in the tariff duties on Cuban imports into the United States. Cuba has in her constitution affirmed what we desired, that she should stand in international matters in closer and more friendly relations with us than with any other power; and we are bound by every consideration of honor and expediency to pass commercial measures in the interest of her material well-being.

Mr. MORRIS. I will come to that, my dear friend, before I get through.

I was about to read what the great debaters in 1897, members of the Ways and Means Committee then and members now, said. I read:

[Mr. PAYNE, July 19, 1897; RECORD, p. 2749, first session Fifty-fifth Congress.]

What shall be done with the sugar trust? Well, I will tell you what, in my opinion, is the best way of dealing with it. Establish a beet-sugar factory in every Congressional district in the United States. [Applause on the Republican side.] Give competition, and lots of it, everywhere. Put the farmers over against the trust by passing this bill, and reduce the price of sugar so that German raw sugar can not be brought in to be refined here. Gentlemen on the other side, come over and help us, while we help the farmers out. [Laughter and applause.] You grangers over there, come and help us. You Populists that go up and down the streets day after day proclaiming your devotion to the interests of the farmers, help us out now when we are trying to help the farmers in this industry that we can establish so successfully. In this way you will do something toward demolishing the trust. You will accomplish more in this way than by mere invective—by running windmills and all that. [Laughter and applause.]

Why should we not produce all of our sugar in this country? Why, it costs us, Mr. Speaker, about one hundred millions. We were looking around for proper subjects for taxation. We knew that sugar would produce an enormous revenue; and besides all that, we knew that an adequate protective tariff would build up the industry in this country, and as it was gradually built up the revenue from that source will be reduced; by and by the revenue will come in more largely from other sources, and when this industry is fully established and revenue from sugar ceases, the reduction will keep pace with the increase. The thing will regulate itself; we will not disturb our tariff in the next quarter of a century. And then—

[Mr. Dingley, March 22, 1897, RECORD, p. 121.]

The duty on sugar has also been increased, both for purposes of revenue and also to encourage the production of sugar in the United States, and thereby give to our farmers a new and much-needed crop. We now pay foreign countries about \$84,000,000 for imported sugar, notwithstanding the abnormally low price, and this sum will soon be increased to \$100,000,000. The success which has attended the growing of sugar beets and the production of beet sugar in California and Nebraska in the past five years, not to mention the progress in the production of cane sugar in Louisiana, has made the problem of producing our own sugar no longer doubtful; and now that we must have the increased revenue from sugar for the present, a favorable opportunity presents itself to give this boon to our agriculture.

[Mr. GROSVENOR, March 24, 1897, RECORD, p. 240.]

We are going to force upon Louisiana that which she dare not ask for herself. Suppliant at the hands of Congress, with people representing not the claims and the clamors of her own people, we will force upon her the beneficence she dares not hope for or ask for herself. We will give to the sugar producer of Louisiana an opportunity to enlarge his products and turn over some of the

splendid lands of that beautiful State to the production of sugar, instead of corn, cotton, and other products of the soil; and so, Mr. Chairman, throughout Nebraska, through Kansas, and all of the States of the Union we propose to offer the same beneficent opportunities.

The Republican party comes and offers to the agriculturists of this country this magnificent boon. We will protect the industries of the country in all directions from further demoralization; and we ask you to turn aside hundreds of thousands of acres of the splendid lands of all of these States from the production of corn, oats, wheat, potatoes, and cotton, to be put into an already overstocked market, to the production of sugar, and give to the farmers upon the farming lands of the country a better market, with less competition than they now have.

[Mr. STEELE, speech on March 25, 1897, Appendix of RECORD, p. 123, first session Fifty-fifth Congress.]

With regard to sugar, I predict that if the tariff fixed by this bill is unchanged for a period of ten years we will at the end of that time be producing not only enough for our home consumption, but as much as we care to export, and at very little additional cost to the consumer. The farmers in the 20 States where the sugar beet can successfully be raised will reap a double benefit from the development of the sugar industry—first, because the sugar beet is a more profitable crop than wheat or corn, and, second, because the land devoted to raising beets will no longer be producing wheat and corn, and the lessened production will increase the price of these products.

This is what these gentlemen said then, and yet five years have not yet gone by, and they propose to begin to make charges. And they propose to begin on the very industry they promised to foster and protect, when relying on their promises and professions it has just got fairly started.

Gentlemen may answer by saying they do not believe these effects will follow. Can you afford, in the light of what I have said, to even take a chance of such effects?

Gentlemen may say this is reciprocity, and to that the Republican party is also pledged.

But this is not Republican reciprocity. Here is the Republican platform:

We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce, in return for free foreign markets.

This is not McKinley reciprocity. Here is what he said:

By sensible trade arrangements which will not interrupt our home production we shall extend the outlets for our increasing surplus.

This is not Roosevelt reciprocity—may his Administration be crowned with success. Here is what he said, and I call the attention of the gentleman from Massachusetts who interrupted me a moment ago to it:

And that reciprocity be sought for so far as it can safely be done without injury to our home industries.

Ah, gentlemen, this is not the kind of reciprocity for which Blaine and McKinley and the Republican party have stood.

The measure as modified is worse than the original one. It will satisfy nobody. It will not satisfy the Cubans, if those who have assumed to appear in their behalf before the Ways and Means Committee are to be believed. They have everywhere in the hearings contended that nothing less than 50 per cent would be sufficient. Already Mr. Palma, the President-elect of the Cuban Republic, has repudiated it. You have all seen his interview; I have it here. General Wood says it is entirely inadequate. Does anybody suppose it will satisfy the sugar trust? Instead of making them an annual present of millions for an indefinite period, as was at first proposed, it only makes that present for one year.

The distinguished gentleman from Kansas [Mr. LONG], in a speech before the Republican conference, to which I allude because it was published in full in the Washington Post of the next morning, based his argument in favor of concessions to Cuba on the ground that reciprocity with that island would be of great and lasting benefit to the United States. He knows, as does everybody here know, that before this agreement can go into effect certain things must be done. The Cuban government does not take charge until after the middle of May. There will be the usual formalities and the necessary delays of organizing the new government and transferring the island.

Then the Cuban congress must act. They must reform and enact their entire system of revenue and tariff laws so as to be able to make any concessions to us. They must enact our immigration, our exclusion laws, and our contract-labor laws. The Government must then proceed to negotiate the agreement provided for in this measure. And there are those who are now contending that they must also, before reciprocity shall take effect, embody the Platt amendment in a formal treaty with the United States. That treaty will have to be ratified by our Senate, and ratifications will have to be exchanged between the two Governments.

The gentleman from Kansas knows, we all know, that all these things will take time. We all know that it will probably be away along into next fall before all these things can be completed, and if the treaty referred to is to be made and ratified, it will be delayed until after the beginning of the next session of Congress, in December. And yet his committee brings in this bill providing that this agreement shall terminate on the 1st of December, 1903.

What kind of reciprocity will this be? Barely a year to run. Before our merchants and manufacturers could learn the trade of Cuba and begin to gain any advantage from the reciprocal concessions the agreement would be at an end. It is evident to those who are most concerned about reciprocal trade that for that purpose this measure will be wholly inadequate and ineffective. Already they are beginning to ridicule it, as well they may. Already those newspapers which have been almost as wild about this as they were about Porto Rico are beginning to say that the reduction must be increased and the time of its operation extended.

All this but goes to show that the agitation for reduction, instead of being put at rest, will only be increased and intensified. And it is this agitation which hurts. It is this agitation which has arrested and will continue to arrest the development of the beet-sugar industry. Already those who were about to let contracts for the construction of factories have called a halt, and it is safe to say that not another enterprise will be inaugurated until it is seen that this question has been satisfactorily and finally settled. I have here a letter from a gentleman in Michigan, Mr. Watts S. Humphrey, from which I will read an extract:

HUMPHREY & GRANT,
ATTORNEYS AND COUNSELORS AT LAW,
Eddy Building, Saginaw, Mich., February 17, 1902.

HON. PAGE MORRIS,
Representative Chamber, Washington, D. C.

I have what I can earn from my business. I have subscribed for \$15,000 worth of stock in a sugar factory that is now being constructed. The contract was let prior to the time of this agitation in Congress. We are compelled to carry out our agreement. We have contracted for over 60,000 tons of beets at the old Michigan prices. We will pay for these beets delivered at the factory 2½ cents per pound for all of the sugar that will come out of them. At 4½ cents for granulated sugar only leaves 2 cents for the cost of production of the sugar by the factory out of the beets and as dividend to the stockholders.

Others who had formed their companies, but were fortunate enough not to have let their contracts when Congress convened, entirely stopped their operations, and before putting their money in will await the actions of Congress on this sugar question. You can see that we are caught, and are compelled to go on. I shall consider that I have been bunced out of \$15,000 by the Republican party if they destroy this investment, and I know if you were placed in my situation you would feel as I do, that there is no excuse upon the part of the Republicans for any such treatment of the people who have invested their money in reliance upon the pledges and promises of this party.

Ah, gentlemen, would not any of us feel that way? Everybody will feel that this is a mere makeshift, a mere pretense of concession and relief, and that the agitation must go on. But for the assurance of the honorable gentlemen who compose this committee that they will not consent to any greater reduction I would be forced to the conclusion that they expected the reduction would be increased and the time extended at the other end of the Capitol, and that it was their hope and intention that it should be.

Under all these circumstances, is it not evident that this measure is un-Republican, unwise, and unpatriotic? And is not that conclusion strengthened when we consider that there is another method by which all that is sought to be accomplished by this measure can be accomplished, and accomplished much more completely and effectively, and without the danger of the evil consequences to which I have referred?

That method was proposed in the Republican conference. In the fewest possible words it is this: That we shall not reduce duties at all; that we shall continue to collect the full rate, and shall then for such length of time as may be necessary pay over to the Cuban government such portion of the amount collected as may be necessary to accomplish the ends sought; and that in consideration thereof we shall receive from Cuba such reciprocal concessions as she may be able to grant. By the method of the bill now before the House we give up a portion of our revenue by a reduction of duties; by this last method we collect the revenue and pay it over.

By this method we are not limited to 20 per cent. We may give whatever per cent may be necessary. We need not stop at the end of one year, but let it remain in operation for three years. During that period reciprocity can have time for effective operation. At the end of that time its value will have been demonstrated and we will be in position to act wisely for the future.

Let me here read the reasons assigned for that method which were given in the conference and published the following day:

1. It will afford relief both to the government and to the people of Cuba.
2. It makes certain that Cuba and her people, and no one else, will be the beneficiaries of our action.
3. By its adoption we keep faith with the people of this country and with the people of Cuba.
4. It does not violate our national party platforms of 1896 and 1900.
5. It does not disturb existing conditions in this country.
6. It does not alter or modify any schedule of the present tariff law.
7. It does not injure or discourage any domestic industry or prevent its further development.
8. It avoids an inopportune agitation of questions affecting industrial conditions of unparalleled prosperity.
9. It would secure reciprocal trade concessions from Cuba and give time to ascertain the value of such trade relations between the two republics under existing conditions.

10. Its reciprocal feature furnishes a consideration which makes the proposed measure of undoubted constitutionality. It is as competent for Congress to purchase trade concessions from foreign countries as to purchase naval or coaling stations.

11. It is sustained by precedent since the establishment of our Government, and particularly by the legislation refunding duties collected on the products of Porto Rico and the Philippine Islands.

12. It affords the means and opportunity for successfully inaugurating and permanently establishing the new government of Cuba during a time which the experience of all nations has shown will be its most critical period.

13. It affords relief until the present adverse trade conditions affecting the price of sugar shall have been improved by the abolishment of European sugar bounties.

14. It discharges every obligation assumed by us under the provisions of the treaty of Paris, the Platt amendment, and by our intervention to secure the independence of Cuba.

At the proper time I shall propose this method by way of an amendment to this bill.

But if the House is determined that there must be a reduction of duties on Cuban sugar, and nothing else, then surely there is something else that we ought to do. Let gentlemen remember that this means a reduction of duties on more than half the raw sugar we import from abroad, and that amount will probably increase from year to year. If we are going to give this advantage to the refiners, the sugar trust, then why should we not also reduce the duty on refined sugar?

Why should we not reduce the protection they now enjoy under the sugar schedule of our tariff law? Why should we not reduce or entirely abolish their differential? Indeed, why should we not, for the time at least, reform and remodel the whole sugar schedule? It is this differential behind which they operate free from foreign interference or competition. This is their intrenchment. Again I call attention to Mr. Havemeyer's statement before the Industrial Commission. I judge from his hysterics at the suggestion that it might affect his trust to some extent.

It is this differential which enables them to control the American market and put prices up or down between wide limits. It is this differential which enables them to carry on their war of extermination against all rivals. The highest experts assert that they have reached that degree of perfection in their organization and machinery that, if they would be satisfied with a reasonable return on the capital actually invested, they would not need this differential at all. Then why should it not be reduced or abolished?

What would its reduction or abolishment accomplish? It would bring them that much nearer to foreign competition. They are anxious for others to have such competition. Why not let them have a little experience of it themselves? It would curtail their power to control prices and slide them up or down at their will. It would in a measure destroy their power to make war upon their rivals and competitors. This alone would be an incalculable advantage to the beet-sugar industry, an advantage which would more than offset the reduction in price of an eighth of a cent a pound on the product of the beet-sugar factory.

It would, as we all know, diminish the cost of refined sugar to the American consumer, or at least prevent its being made exorbitantly high. Nobody contends that the reduction proposed in this bill on Cuban raw sugar will do any such thing. Surely, gentlemen, while we are so much concerned about the people of Cuba we might at least have some regard for our own people.

I have sat here now for going on six years and listened to lamentations from the other side, which would have put to shame the immortal Jeremiah, about the exactions to which the American people are subjected. I have heard from both sides Philipics against these unholy combinations called trusts. I think gentlemen will bear me out when I say that I have joined in none of these. I have known that great combinations were the result of a natural evolution in business, and that great business meant great capital and great combination. And some of these combinations have certainly not been an injury, but a benefit to our trade and our national greatness and power.

But here is a combination whose avowed purpose has been to throttle and crush. Here is one which has levied the most exorbitant exactions. Here is one which would stop healthy development. Here is one which has grown rich and strong under our protection. Here is one not satisfied with that protection, not willing to live and let live. Here it is unblushingly asking for more, and hypocritically calling for it in the name of humanity and philanthropy. Here it is right before us.

Here is your opportunity to strike it, not in anger or in a mere spirit of hostility and reprisal or in blind and indiscriminating rage, but in justice and equity. What are you going to do? It will not do to offer general and sweeping amendments which you know will have no chance to be adopted and ought not to be adopted. It will not do to talk about removal of duties from all trust-made goods or from all those sold abroad cheaper than they are sold at home. It will not do to attempt a general crusade upon all tariff schedules. That is not involved here and has no place here. Such amendments are only offered for political effect. They are not sincere. They are not meant to be adopted.

Do not scatter. Do not bring in such amendments, but strike for that which can be accomplished. Strike at that which is before you.

Mr. CANDLER. Will the gentleman stand and not scatter?

Mr. MORRIS. I will not vote for any such amendments. I do not believe in tampering with tariff schedules to-day. At this time of unexampled prosperity I would do nothing which might even tend to destroy confidence.

Mr. CANDLER. Will you stand against the differential?

Mr. MORRIS. Indeed I will; I will offer the amendment and don't you bother about that [applause], because they do not need protection. The best experts say that they are now able to compete with all the world if they would be satisfied with a fair return on what their plant is worth. I do not want them to be able to pay interest on ninety millions of capital when they should be satisfied with the interest on \$25,000,000 of capital.

Mr. VANDIVER. Does the gentleman think that the steel trust needs protection?

Mr. MORRIS. I do not know whether it does or not. The proposition here is a sugar proposition, pure and simple. Everybody here knows that, and you may be sure that the people of the United States understand it. You need not think they can be or will be deceived. Here is the sugar trust right before you. Here is your opportunity at least to do justice, to smite what ought to be smitten. Here is a plain and simple proposition that will accomplish that object and benefit our own people. What are you going to do about it? I propose to see, for I shall offer the necessary amendment at the proper time. [Applause.] And I shall call on all those who wish sincerely to accomplish something to show their sincerity now that they have the opportunity.

In conclusion, let me say that I have spoken, as I believe, in the interest of justice to our own people and liberality and good faith to Cuba. I am as willing as any man here to fulfill every obligation to Cuba, and I am willing, as every other American citizen ought to be, to bear my part of the burden. I am not willing by my vote to cast that burden on one interest. The great, generous-hearted American people can not afford to do that, and would not knowingly do it. I have spoken as a Republican, believing in the doctrines of that party, and determined to keep its pledges and preserve its honor. I have spoken as an American, standing for my own country, its labor and its industries, against all the world. [Loud applause.]

Mr. SPARKMAN. Mr. Chairman, this, in my opinion, is one of the most vicious measures that have been considered by Congress since we embarked on the fateful policy of expansion, more than three years ago. Indeed, it is the natural outgrowth of that policy, but for which we would not to-day be confronted with this and other grave problems imperatively demanding solution at our hands.

The forcible annexation of Porto Rico and the compulsory sale of the Philippines to us were followed by enactments of the law-making power which occasioned fierce and bitter controversies among the people and litigation before the courts, resulting in a line of judicial decisions new to the legal profession and unsatisfactory to many laymen throughout the country.

But if those acts provoked controversy and wrought confusion they were as nothing when compared with the dissensions which this bill will breed and the mischief it will do. The avowed purpose of its advocates is to assist the Cubans and benefit the Americans at one and the same time, but I maintain that it will do neither.

In the first place, the Cubans are in need of no such help at our hands, nor are we under any such obligations to give aid if they did need it. Much testimony has been taken by the Ways and Means Committee on the subject since the beginning of this Congress. Men engaged in the sugar, tobacco, and cigar industries, both in Cuba and the United States, were here, and gave their opinions for and against the propositions involved. So that no phase of this question was left untouched or unconsidered, and it was clearly shown that the Cubans were and are in a fairly prosperous condition; much better off, indeed, than people in many sections of this country.

The sugar planters and manufacturers, as well as the tobacco growers, were shown to be making money on their investments; at the same time among the laboring classes all those who desire work can find employment at remunerative wages. From \$24 to \$30 per month are the prices now being paid laborers in the cane fields and the sugar factories on the island of Cuba, while liberal wages are paid to those in other branches of employment. Laborers are scarce, according to the testimony, and the labor problem is one of the greatest, as it is one of the first, with which the Cuban people will have to deal.

So great is the demand for labor and so difficult to procure it there, that the question of the importation of cheaper foreign labor is now being considered by the Cubans, and the fear here is that Chinese labor will be imported into that island to such an

extent as to menace the industrial and labor conditions in our own country.

This fear is recognized by the framers of this bill, for one of its provisions has for its object the exclusion of foreign labor and Chinese immigration, just as the same are excluded from this country, and that, too, in face of the fact that Cuba is just starting where we started more than a century ago, and needs labor to till her soil, to work her factories, and to develop her wonderful resources. I am not criticising the measure, however, on that ground.

I am only calling attention to the fact, as I pass on, for the purpose of showing some of the inconsistencies in the position assumed by the advocates of the bill.

Cuba, since the Spanish war, has marketed at fair prices all her chief productions—sugar, tobacco, and cigars—and is doing so now, with the exception of sugar, the price of which has recently fallen so low that the larger planters are holding for better prices. Overproduction—common, however, in other branches of business—is the cause here. But this will soon be remedied by the law of supply and demand, and the price of sugar will again rise to a paying margin.

Now, Mr. Chairman, if all this is true, if labor is fully employed on the island and at remunerative wages, if the products of this labor are all practically being sold at fair prices, then I submit to the House that there is no need of this gift of more than \$6,000,000 in the shape of lost revenue to our Government, and the many millions more to the sugar, tobacco, and other industries of the country affected by the measure.

Mr. Chairman, what is the complaint? Why, that all the people in the island are not making money; that they have lost heavily by the ravages of war; that all the tobacco of last year's crop has not been sold, and that the price of sugar has recently fallen below the point where it can be profitably marketed.

But suppose all these things are true. Do they furnish a reason for donations on our part such as this bill seeks to give? There has scarcely been an industry in this country, whether of the farm, the factory, or the mine, the prices of whose products have not for one cause or another been at times depressed, and yet not all of these have come here for help. A few years ago the price of cotton dropped even below the cost of production in many places in the South, but no one thought of asking Congress for aid. Overproduction was the chief cause, but it did not last long. The supply soon adjusted itself to the demand, and prices went up again.

Then, too, disasters from fire and frosts, floods and storms have fallen upon the different sections of the country at one time or another, but seldom have the sufferers asked help of the General Government. A few years ago a disaster as blighting as the ravages of war have been to Cuba befell the people of my State. In a single night more than \$25,000,000 of property was destroyed by the frosts of winter, but no aid was asked by the unfortunate sufferers and none was given by the National Government. To themselves alone our people looked for relief; upon their own energies they relied for aid, and from this source alone it came, and to-day Florida is richer than ever before in material wealth and in the self-reliance of her people. So it will be with the Cubans if left to themselves.

But assuming, for the sake of argument, that the Cubans need relief, will this measure secure it to them? I maintain not. The principal benefits, according to the advocates of the bill, are largely to come through the sugar industry. Now, nearly, if not the entire output of that industry in Cuba, is controlled by the sugar trust, which can to a large extent control the prices which the producers will obtain. The production of sugar in that island this year will, it is said, reach about 1,000,000 tons, the surplus of which will be purchased mainly by this trust, and while up to the present time Germany, by reason of being the largest sugar-producing country in the world, has fixed and controlled to a considerable extent the price of that article, the moment this bill becomes a law and the treaty for which it provides has been negotiated conditions will begin to change and the surplus of Cuban sugar will largely regulate prices everywhere.

True, German sugar will continue to exert an influence over prices, but the duty here on European sugar will militate against that article, giving the Cuban sugar a clear field in our markets. The output may and doubtless will increase from year to year, but will never get from under the control of the sugar trust, which will continue to regulate the price there. We know something of the power of these trusts. They are organized for the purpose of securing the greatest profit at the minimum of cost. To that end, of course, all their energies and means are directed, and by the simple means of refraining from purchasing for a time the trust can depress prices, or by buying can raise them. But in any event the sugar trust will become the beneficiary of our generous policy, and not the Cuban people.

Nor is the cigar industry in any better shape. Two large syndi-

cates, one of them English, control 90 per cent of all the cigar manufacturing business in Cuba. This English syndicate, a foreign institution, controls 60 per cent of the entire Cuban output.

And these are the people, Mr. Chairman, for whom we are to legislate, in so far as the main productions of the island are concerned. To trusts and syndicates who are abundantly able to take care of themselves, we reduce our revenues upward of six millions of dollars and impoverish our own people many tens of millions more without lowering the price to the consumers of imported goods a particle.

But, sir, we are told that the Cuban people are demanding these concessions. That I deny. The masses of the Cubans—those who maintained the struggle against Spain from 1895 to 1898, who faced fire and sword that they might be free, and for whom we declared and waged war against their oppressors—care nothing about reciprocity. Indeed, they are scarcely willing to accept anything at the hands of this Government. They did not want us to go to war for them, because they feared the consequences of American domination. They have chafed under our occupation of the island. They believe we have given them a stone instead of bread, only an exchange of masters instead of liberty, and their feeling against us has to some extent become embittered by these considerations.

As tending to prove what I say, I will read an extract from a letter which I received a few months ago from a person residing in Cuba, who speaks and understands thoroughly the Spanish language, is well acquainted with the Cuban people, and in a position to know what he is talking about, together with a clipping from *La Lucha* of December 9 last, a newspaper published in Habana, and one which for a long time maintained a kindly feeling for this Government.

After the address and some other matters not necessary to read, the writer proceeds as follows:

I inclose an editorial translated from *La Lucha* of the 9th instant. The cavalry forces referred to therein are rural guard. This paper last week advised Maso's supporters to string up a few people to lamp-posts if they were not given representation on the electoral board.

This article is a fair sample of the sentiment that is often expressed in the newspapers with respect to our Government. *La Lucha* is the only paper that has ever expressed any gratitude for what the United States has done for this island, except the papers supporting Palma, which, during the last few days, have had words of kindness for us, and it is easily seen that they are prompted by the efforts of the Administration to secure tariff concessions for the island.

Now follows the clipping from the newspaper, which I ask the indulgence of the committee to read:

[Clipped from *La Lucha* of December 9.]

QUESTIONS OF THE DAY.

La Nación publishes the following under the title, "Revolutionary Judases:"

"The illicit combination between the intervening authorities, the intervened authorities, and the bureaucrats depending on the one and on the other is now beginning to bear its evil fruit among the Cuban people. Indeed, nothing else could have happened, as the insolence of these people united together to bring about the triumph of the candidature of Señor Estrada Palma borders on the most insulting provocation which any country was ever called upon to suffer.

"It seems as if the idea were to cause a protest, born of dignity, to burst forth with implacable ferocity, or that those who have the right on their side and are now the victims of the insults and frauds and other forms of the electoral pillage should bend the knee, like vile cowards, to the will of the Yankee governors and their Cuban lackeys."

The puppets of the American policy are dreaming when they think such things. Sooner will we all play the last card, whatever may be the result which our action may cause to this unhappy land, lowered by the depravity of some of its miserable sons; sooner will we undertake a civil war with all its tremendous consequences; sooner will we renounce the ridiculous republic which is offered to us; sooner will we appeal to the means which despair has to offer than tolerate being delivered, tied hand and foot, at the feet of the foreign despot by a handful of traitors who should have been hanged long ago.

It is time that the comedy ceased. It is necessary to tear the mask from the face of the general of the revolution, who has sold himself to the intervenores. It is necessary that we stand up and resist the storm in which an attempt is being made to involve us. In short, it is necessary that we rebel against the scoundrels who have made their country a storehouse for plunder and its flag an infected rag. Happen what may, anything is preferable to resignedly consenting to the crime which is being carried out in the palace of the Plaza de Armas and in the palaces of the civil governors and in which the Judases are bucking on their swords to plunge the country in an abyss without the least pang of remorse.

And if what is sought is that the battle should commence, we who have not provoked it accept the challenge extended to us, and there will be plenty of time to commence the fight.

The die is cast. Either with the traitors who are supporting Estrada Palma by means of the power they enjoy, or with the loyalists who are around Señor Maso. Enough has been had of miserable farces.

We have had an atmosphere of hate thrust upon us. And we are ready. The intervention was able to hold us back to avoid compromising the destinies of the laughable republic about to be set up, but neither the intervention nor anything else can prevent us from saving the little honor left us.

The shame of Cuba is a small matter to those who live by Cuba, as they put her to public auction; but it matters a great deal to those who will die for Cuba if there is no other way open.

What scene will be beheld shortly in our country? A thousand times cursed are those who contemplate them protected by the arm of the Yankee.

Blessed those who resist them.

I have read these extracts, Mr. Chairman, for no other purpose than to show that the Cuban people are not likely to be asking gifts at our hands. No doubt the sugar and cigar factories there, as well as a few other interests, would like to see this bill passed. But as before stated, the masses of the people in my judgment are not demanding reciprocity between this country and Cuba, and certainly not the brand that is provided for in this measure.

I have said and I repeat that this measure will not benefit the American people nor profit those in Cuba to any great extent; nor is it a desirable piece of legislation looked at from any standpoint from which you may choose to view it. If we look at it from the point of view of the tobacco grower, the cigar manufacturer, the sugar producer, or the grower of citrus and other semitropical fruits, we will see injury to some and ultimate destruction to others of these great industries.

If we examine it from the standpoint of commerce—of business to be done with the Cubans—there is little to commend it to our favorable consideration. While if we observe it from the standpoint of tariff reform, it is a delusion and a snare. It violates Democratic principles; nor is it wholly in accord with Republican doctrines as I have read and heard them expounded. It is unsound in theory, unwise in policy, and will be found pernicious in practice.

Of course I do not suppose that a 20 per cent reduction will destroy all the industries I have just mentioned, but it will injure them all, and if carried further, as is intended by many, will eventually wipe the sugar, cigar, and tobacco industries of this country out of existence. At least that is the opinion and the testimony of those best competent to judge.

But it is said by the advocates of the bill, when they lose sight for the moment, as they do occasionally, of the sentimental side of this matter of Cuban reciprocity, that it will increase our trade with Cuba. But admitting this to be true, the increase will be insignificant as compared with the mischief that will be done to the industries which come within the range of its influence, to say nothing of the loss of six or seven millions of revenue.

The majority report, as well as the so-called minority report made by the gentleman from New York [Mr. McCLELLAN], takes rather a roseate view of the advantages that will accrue to us by the passage of this bill. But many do not share these views with him. I, for one, do not, as it is my opinion that no such results as he predicts will follow, and I shall not be surprised when the first of December of next year rolls around to find that no good has come to trade between this country and Cuba from the measure now under consideration.

Of the \$66,572,802 in value which Cuba imported during the year 1901, the United States furnished her with only \$28,017,820 worth, and it is though, by passing the bill we are now considering that this amount can be increased very largely.

Now, Mr. Chairman, this expectation is based upon the idea that by reducing the Cuban tariff upon certain articles which may go from this country into that these importations will be increased. But the duty on imports into Cuba from our country has not been sufficiently high to prevent these \$28,000,000 worth of our products going into Cuba, embracing nearly every article transported by us to the most favored countries of the world, thus showing that the present tariff stands but little in the way of our trade with the Cuban people.

The truth of the matter is that the inhabitants of tropical countries are not heavy importers of the products of more northerly climes; hence we can not expect to ever do any great amount of business with our colonial possessions situated in the Tropics, or with Cuba, even under the most favorable trade regulations.

I know that some of the advocates of this measure point with sorrow to the supposed decadence of our trade with Cuba, while others more optimistic look with exultant pride at the large shipment of our productions into that island during the past three years, and prophesy great things for the future. But, Mr. Chairman, these importations were not the result of normal conditions, but rather the consequence of necessities created by the ravages of war and the sudden increase of business stimulated by the presence of a large number of our soldiers there, and it is but natural that when the necessities created by these abnormal conditions have been met and the conditions themselves have changed, that our trade with Cuba should fall off and assume its normal state whether the tariff be high or low.

But suppose, sir, that our exports to that island should be doubled, the aggregate then would hardly be a drop in the bucket as compared with the vast amount of our exports to the larger countries of the world. Last year we exported \$1,487,764,991 worth of the products of this country—nearly thirty times more than would be our commerce with Cuba if the wildest dreams of the most radical of the reciprocity advocates are realized, a commerce hardly sufficient to justify us in inflicting the loss upon the sugar and tobacco growers which this bill would entail upon them.

Mr. Chairman, why not try reciprocity with some of the Euro-

pean countries—with France and Germany, for instance? Our exports to Europe for 1901 amounted to \$1,136,504,605, of which \$191,780,427 went to Germany and \$78,714,935 to France. These countries present an opportunity for the exploitation of the reciprocity idea not to be found in Cuba or, as to that matter, in any of the tropical countries.

The combined population of these two countries—France and Germany—is about 90,000,000, as against 1,500,000 in Cuba. The soil is not as productive as that of Cuba and their people consume more per capita of the products we have to sell than the native Cuban population. The soil of Cuba is perhaps the most fertile in the world. Everything produced in tropical countries can be grown there in great abundance, and, as a rule, at a minimum of cost. Whatever is necessary to sustain life can be grown except breadstuffs, and this the Cubans will buy of us whether they have reciprocity with the United States or not.

But, Mr. Chairman, this bill not only provides for a 20 per cent reduction on imports from Cuba into this country, but also a similar reduction upon goods carried by this country into that. Now, the Cuban government when established will depend for its support largely upon import duties; and if we should furnish all the imports, as the majority report suggests we will do, where will the Cubans get sufficient revenue to support their government? They will necessarily be compelled to levy either a direct tax upon property or excise duties of some kind, something no country as weak as Cuba can stand. So it would appear, Mr. Chairman, that while we would give to them with one hand we rob them with the other.

Then, sir, why should there be any need for reciprocal trade arrangements between this country and the island of Cuba? Europe, with her hundreds and millions of population which must be fed and clothed presents, in my opinion, a much more inviting field for reciprocity. Let us try it there, where something may be done for and not against the farmer.

Now, Mr. Chairman, I regret to see some of my friends on this side of the House take the position they are assuming on this question. I, of course, know that their motives are of the best, but I think their judgment is at fault. The gentleman from New York [Mr. McCLELLAN], in his report, which he styles "the views of the minority" (and in this, I think, he is right, because very few, I imagine, share all his views), says, in substance, that the provisions of the bill are in direct line with Democratic doctrine, and seems to think it his duty to strike at the tariff tax wherever and whenever opportunity offers.

This idea, carried to its ultimate result, would overthrow the doctrine of tariff taxation even for revenue. Since when has this proposition been a tenet of Democratic faith? Certainly, no such doctrine has ever found a place in a Democratic national platform. In fact, it has ever been one of the cardinal principles of that party that the raising of revenue should be the prime object of tariff taxation, and that this tax should be so levied as to fall, if possible, more heavily upon the luxuries than upon the necessities of life.

Then, too, the Democratic party has claimed to guard and has sought to guard the interests of the agricultural classes wherever it has been possible to do so. Yet the chief burdens created by this bill fall most heavily upon the agricultural classes. True, the cigar industry bears a part of the burden, and tobacco, sugar, and semitropical fruits are also hurt. All these products, except raw sugar, are luxuries and can well afford the high rate of taxation.

While sugar being a product of the farm should, to say the least, not be discriminated against in favor of the refined sugar—a product of the trust which still retains a part of its differential in spite of efforts to remove this discriminating tax. And now the spectacle is presented of an effort to reduce the taxes on farm products and luxuries, while those of the steel, sugar, and other trusts are left untouched. Certainly this can not be in accord with the principles or teachings of that party which has always boasted, and justly so, too, of its friendliness to labor in all its branches.

Now, Mr. Chairman, we are approaching in this bill the great question of reciprocity from the wrong standpoint. Before we can deal with it properly and so as to do the greatest good to the greatest number, with as little harm as possible, we should have a general revision of the tariff, so that all rates and schedules may be readjusted and reciprocal trade relations arranged with reference to these readjusted schedules. Then, the prime object of raising revenue being attained, the burden of taxes may be regulated so that no discrimination against American farmers and American labor will be created, and so that luxuries and not the necessities shall bear the greatest burden in the support of the Government.

Now, Mr. Chairman, no one would go further than I to help the Cubans if they needed help and desired it at our hands. We have made sacrifices for them in the past, and I would be willing

to do it in the future; but what they desire and need most is to be left alone to govern themselves as they may think best. The strong arm of our Government will ever be over them to protect, if need be, but never, I hope, to govern or oppress. They are, in my judgment, capable of self-government. Let them try the experiment.

We helped them to drive the Spaniard away at the cost of many hundreds of millions of treasure and thousands of precious lives. We have assisted them for the past several years in maintaining order on the island. We have given them a lesson in sanitation which, if utilized, will root out and finally destroy the yellow-fever scourge there. Then, if our occupation of that island has been helpful and we have placed them in a condition to set up a stable form of government, which may in time even be satisfactory to them, and if from now on we carry out our promises to Cuba and her people, we will have done well by them indeed.

But, after all, is it not about time that we were beginning to look after the interests and the necessities of our own people at home and less after those beyond the seas? Let us, then, begin to look more to our own homes, to our own people and their interests, than to those of foreign lands and distant climes. Our continental domain is vast, our people progressive, enterprising, and homogeneous; our resources boundless and varied, the development of which has scarcely yet begun; our Government the best the world has ever seen; our destiny the grandest and our future the brightest of all the nations of the earth if we but curb our greed for territorial aggrandizement. So, let us then, as representatives of the people, withdraw our gaze from across the seas and direct our attention and energies to the upbuilding of our own country, to the end that her people may be prosperous and their condition improved. [Applause.]

Mr. MONDELL. Mr. Chairman, the measure under consideration proposes a reciprocal agreement with Cuba to continue in force until the 1st day of December, 1903, whereby the products of Cuba, principally sugar and tobacco, are to enter our markets upon the payment of 20 per cent less than the duties imposed on like articles from other countries, and our products and manufactures are to enter Cuba with at least a like reduction of duty.

The consideration of this measure involves a recognition of the relations we sustain toward Cuba; as were the question presented simply one of a reciprocal agreement with a foreign country for the purpose of securing trade advantages, the situation would be greatly simplified. We shall stand before the world when the Cuban Government shall have been fully organized as her sponsor and protector, and the Cuban people are justified in maintaining that the Platt amendment, qualifying, as it does, their complete independence, places us under at least a moral obligation to give their interests some consideration.

I do not think there can be any question in the mind of any honest investigator relative to the critical industrial condition impending in Cuba as a result of the present low price of sugar—her principal product. It seems to me that the testimony is conclusive that sugar can not be produced there on the average for less than 2 cents per pound, and one does not need to be much of a mathematician to appreciate the fact that with sugar selling at from two to three tenths of a cent per pound less than that sum, the planter and sugar raiser is suffering a very considerable loss, and that therefore whatever present conditions are it will be but a short time until the planters and producers of sugar are in sore financial straits, and the labor of the islands either out of employment or forced to accept a considerably reduced wage.

Some gentlemen dismiss the consideration of this phase of the situation with the flippant suggestion that we are not responsible for the present depression of the sugar market, nor for the results which may follow in Cuba as the effect of that depression. But I submit that, having assumed the rôle of the liberator, guardian, and godfather to Cuba, we can not within a day or a week or a month after her government is established throw off all responsibility with regard to her, either in fairness to Cuba or in justice to ourselves, particularly in view of the fact that in turning her loose to walk alone among the nations of the earth we are keeping a very substantial leading string upon her in the Platt amendment. But our obligations to Cuba by reason of the peculiar relation we sustain to her is but one and in my mind not the controlling factor in this situation. Free Cuba, to be successful, must be prosperous. Depressed industrial conditions, low wages, lack of employment, means trouble for the new government, possibly serious trouble. Serious trouble means intervention, and intervention, in my opinion, would necessitate annexation.

I have attempted to approach this subject from the broad standpoint of sound public policy as I understand it. Whatever bias I have in the matter comes from a lively interest in the growing beet-sugar industry of the nation—an industry which has made wonderful progress in the last few years, and which, in my opinion, is destined to have a still more remarkable development in

the years to come. As a friend of the beet-sugar industry, as a wellwisher of the cane-sugar industry of the country, as one desirous of putting off as long as possible the inevitable day of Cuban annexation, with its fatal competition under free-trade relations with a number of American industries, I feel it my duty to support any reasonable measure calculated, as I believe the measure now before us is, to aid in maintaining at least a reasonable degree of prosperity in Cuba, in order that the new government may be inaugurated and established without the immediate embarrassment of depressed industrial conditions, which would inevitably create discontent, disorder, and either a demand for annexation on the part of the Cuban people or the necessity of it as the result of an enforced intervention by us.

The necessity or the advisability of some action on our part to relieve the threatened industrial crisis in Cuba, owing to the low price of sugar, being admitted, the question arises, can we provide an adequate remedy without injury to any American industry or hardship to any class of American citizens? If we can not, then whatever our obligation to Cuba may be, our first duty is to our own citizens and their interests are entitled to our first consideration. But, Mr. Chairman, it is fortunate both for the United States and her people, and for Cuba as well, that the proposed legislation, while affording reasonable relief, can by no possibility disastrously affect the industries or the welfare of our own citizens.

Even were the proposed reduction of 20 per cent in favor of Cuba on our sugar tariff to affect the market price of sugar to the American consumer by that amount, and thus to that extent reduce the protection now offered to the beet-sugar producers, I believe the legislation would be justifiable in view of the benefits we would derive from it, and the fact that in my opinion the beet-sugar producer would still have adequate protection. But no one believes that the agreement proposed will in any wise affect the protection afforded the beet-sugar producer by our sugar tariff, for the price of sugar to the consumer will be fixed then as now by the cost of that portion of our imports of sugar which is bought in the open markets of the world and which pays our full tariff duties.

It seems to me that the argument which has been advanced that the reduction of duty on Cuban sugar will not go to the Cuban planter is scarcely worthy of serious consideration. Surely the Cuban planter will not be simple enough to accept a lower price for his product than is paid at the same time and place for a similar article. It is the first time that I ever heard of the possibility of there being two prices for the same article at the same time and in the same market.

The gentleman from Minnesota [Mr. MORRIS] in his remarks a few moments ago quoted from quite a startling array of figures in the attempt to prove that the planters of Hawaii have not been receiving a price for their sugar to which they are entitled by reason of free entry into our markets. I do not pretend to question the accuracy of the gentleman's figures, but I spent a month in Hawaii three years ago, during which time I made some study of the sugar industry there, largely because, being interested in the growth of the beet-sugar industry in this country, I was anxious to learn whether that industry could survive in free competition with cane sugar grown under as favorable conditions as existed in Hawaii.

Among other inquiries I made of the Hawaiian planters was in regard to the price they received for their product. I had heard a good deal of the all-powerful sugar trust, and was anxious to know whether that organization had been able to rob the American planter of any of the benefits derived from free access to our markets.

The planters with whom I talked informed me that they had an agreement whereby they sold their sugar to the agents of the American refineries at a price equivalent to the New York price of sugar on the day their sugar landed in San Francisco, less the difference in freight rates. I ask the attention of my friend from Minnesota [Mr. MORRIS] to this as the testimony of Hawaiian planters themselves three years ago. The gentleman has contended that the Hawaiian planter is not getting the full benefit of the relief from the payment of the American duty, whereas Hawaiian planters said to me—and a number of them made the same statement—that they had an agreement whereby they were paid for their sugar, on the day it landed in San Francisco, the price of the same quality of sugar, duty paid, on the same day in the markets of New York, less an agreed adjustment of freights. So they received absolutely all that their sugar was worth and all of the benefit of the remission of tariff duty.

But, Mr. Chairman, there is another side to this question. This is by no means a one-sided arrangement which we are entering into, but a reciprocal agreement under which, in my opinion, we will eventually be large gainers in the matter of trade. Cuba, even in her present undeveloped condition, just emerging from a long continued and devastating war, with but a small proportion

of her land under cultivation, has a trade of \$38,000,000 per annum which now goes to other countries than ours. We can not hope or expect to get all of this trade under the reciprocity agreement proposed, but I believe we are assured of securing a large portion of it, and as Cuba increases in population, and the purchasing power of her citizens increases, as it will rapidly, there can be no doubt but what our trade with her will very largely increase in consequence of the trade advantages we are to gain under the provisions of this measure.

It is inevitable, in my opinion, that Cuba should some time become a part of the United States. As I have stated before, my hope is that this union will be long delayed. I believe it is best for the people of the United States and for the people of Cuba that it should be. We are neither prepared for free competition with her sugar, tobacco, and other products, nor would it be well to invite at this time the settlement of the numerous political and social questions the annexation of Cuba would bring.

My eloquent friend who addressed the committee a short time ago, the gentleman from Michigan [Mr. WM. ALDEN SMITH], said that from the standpoint of the beet-sugar producer he had no fear of the effect of Cuban annexation. Whatever the probabilities of that event may be, there is no doubt whatever in my mind that the annexation of Cuba, with Cuban sugar free, means the death of the beet-sugar industry of the United States.

It has been said that the cost of the production of sugar in Cuba is 2 cents a pound. I believe that is about the cost in all tropical countries. It has been contended by the gentlemen who say they represent the beet-sugar people on this floor that sugar can be produced in Cuba for less than 2 cents a pound. That may be possible. The testimony before the Committee on Ways and Means was that it cost 4 cents a pound to produce beet sugar. One gentleman alone of all those before the committee, I believe, said that beet sugar might ultimately be produced in the United States for $3\frac{1}{4}$ cents a pound.

Let us say that in the future, by improved processes—by the reduction of the wages of American labor, if you will, which heaven forbid—the cost of beet sugar in the United States may be brought to 3 cents a pound, or $\frac{1}{4}$ cent lower than the lowest estimate. Then, supposing the cost of the production of cane sugar shall not go below 2 cents a pound, there is still an advantage to the cane-sugar producers of Cuba of a cent a pound. This would be \$20 a ton, and allowing four tons to the acre, it would be an advantage of \$80 an acre. As the average production in Cuba is considerably above that the advantage is greater. In Hawaii they produce as high as 12 tons of sugar on one acre of land; and if they had the advantage of only 1 cent a pound over the beet-sugar producer, it would be 12 times \$20 an acre or \$240 an acre of clear profit to the Hawaiian sugar planter, above the cost of producing sugar from beets in the United States.

Is there any possibility or probability that an acre will ever be sown to sugar beets anywhere in America after the day when Cuba shall become a part of this Union? In my opinion such a union means inevitably the destruction of the beet-sugar industry in this country and of the cane-sugar industry as well, unless in that day we provide for those industries by high bounty.

Remember that Cuba has never produced sugar under the most improved methods; that Hawaii produces more sugar to the acre and produces it more cheaply, except where she irrigates, than Cuba has ever done; that when they shall give up the slovenly methods of perennial crops in Cuba, which is not a cheap method of raising sugar, but an expensive one; when they shall come to the Hawaiian system of planting every other crop they will produce sugar even more cheaply than they do now, and when that time comes does anyone imagine that the beet-sugar industry of America shall survive unless protected by a bounty?

So, as a friend of the beet-sugar industry, I am anxious to put off as long as possible the day when Cuba shall ask to become part of the Union, or when we shall be compelled to take her in order to prevent continual uprisings there.

I believe the surest way to postpone annexation is to insure Cuba industrial tranquillity, which, I believe, this measure will tend to do. It is best both for us and for the Cubans, in my opinion, that for a time they address themselves as an independent people to the task of working out the problems of self-government.

Inasmuch, however, as Cuban annexation is one of the certainties of the future, it is of vast importance to us that when Cuba shall come into the Union she shall present no more serious social and racial problems than those presented by her present population; that there shall not be added to these the difficulties and complications of dealing with a large population of cooly laborers, and therefore that feature of this legislation which provides for her adoption of our Chinese exclusion and immigration laws is of vast importance—of such importance that, in my opinion, we would be largely justified in this legislation by the promise it holds out of excluding from Cuba undesirable classes of immigrants, if there were no other considerations involved.

The measure before us is in complete harmony with the Republican policy of reciprocity in that it promises us large returns in increased trade without menace or danger to any American industry. It keeps faith with the Cubans, who have reason to expect from us advantageous trade relations in exchange for like benefits in our trade with them. In brief, it might properly be called a bill for the purpose of keeping faith with Cuba; of insuring industrial prosperity and political tranquillity there, with a view of postponing annexation and free trade with her in sugar and tobacco; of adding largely to the trade and commerce of the United States, and for the exclusion from a contiguous territory, which some day will become a part of the United States, of persons who would be harmful and unfair competitors with our people while Cuba remains an independent republic and undesirable citizens when she becomes a part of the American Union.

I believe the legislation is wise, that it will be beneficial to Cuba and her people, and to the Government and people of the United States as well. No class of men should more heartily support it than those especially interested in the beet and cane sugar industries of the United States, for it disposes, in my opinion, for a long time to come, of the most serious menace with which they have or will be threatened—that of Cuban annexation. Above all else, it is in keeping with the high aims and purposes of the American people in all their dealings with Cuba, and completes and rounds out undertakings and legislation in her behalf which will ever reflect credit and glory on the Republic and, in the fullness of time, work to our material advantage as well. [Applause.]

Mr. BALL of Texas. Mr. Chairman, addressing myself to the pending measure, I desire to call the attention of the House to one peculiar fact connected with this bill, and that is that the Ways and Means Committee have reported a bill for our consideration that meets with the unqualified approval of no person in all these United States; a bill that is not the embodiment of the wishes and desires or convictions of any member of the Ways and Means Committee, which is not the embodiment of the views of any Democrat upon this side of the Chamber, of any Republican on the other side, and is not in response to the demands of those who speak for Cuba and ask at the hands of Congress relief for the Cuban people. So that in voting upon this measure upon its final passage, if it be unamended, as I prophesy that it will be, every man will be called upon either to swallow a bill which is not in accordance with his judgment or to reject it because in his judgment it is unwise and indefensible.

Now, it is not for me to say to the Democratic members of this House that no Democrat can vote for this measure. It would ill become any proponent of this bill to say that all Democrats must vote for this bill if they are Democrats. I trust the time will never come in this country when Democrats are bound as Democrats to support a bill as a Democratic proposition which after weeks of deliberation, dissension, and divisions among the Republican members of this House is reported as a Republican measure. To do so, many Republicans had to surrender their judgment, compromise their differences, and yield to party discipline that the bill might be reported to the House without the aid of Democratic votes.

Therefore if it is charged, as it has been unjustly charged, that those of us upon this side of the Chamber who oppose the bill are following the lead of members who are interested in beet sugar or in cane sugar and that we desire protection for those industries, I will not retort by saying that you are trying to protect the protected monopolies of this country, which by this bill obtain 20 per cent protection in Cuba in addition to the protection which they enjoy at home. If I had to make choice, however, between the Democracy of Louisiana and the Republicanism of Pennsylvania, arrayed upon opposite sides on this bill, I would have no cause to hesitate. The Louisiana Democrats simply insist that Cuban competition will destroy the value of Louisiana sugar plantations; that this bill will not benefit Cuban producers or American consumers, but will enrich the "sugar trust."

I am willing, for my part, to cast my vote with the Democrats of Louisiana and members representing the agricultural interests of this country [applause] in the West engaged in raising beets and attempting to compete with the "sugar trust" in refining sugar, and say to my brother Democrats, without reflecting upon them, if you prefer the Democracy of Mr. PAYNE of New York, and of Mr. DALZELL of Pennsylvania, "the high priest of protection" [laughter], and to follow the Republican majority reporting this bill, you are at liberty to make your choice and I will make mine.

Now, let me ask, why is this bill here? In my judgment it is here because the American Sugar Refining Company, commonly called the "sugar trust," has found west of the Mississippi River a competitor in the beet-sugar producers, who are also the beet-sugar refiners.

In the testimony given before the Ways and Means Committee it was shown that Willet and Grey in October, 1901, before the present agitation had begun, said that the cause of the trouble

between the American Sugar Refining Company and the beet refineries was that the American beet-sugar men would not confine themselves alone to the business of raising raw sugar, but insisted upon getting into the business of refining sugar. Willet and Grey are recognized as the sugar trust's organ. Now, in pursuit of the plan to control the sugar markets of the United States the sugar trust went out West and into the Missouri Valley and made a reduction of 2 cents a pound on refined sugar after the beet-sugar men had made contracts for future delivery based upon the market price.

The beet sugar refineries instead of meeting that price and sacrificing their property simply offered to fill their orders with American Sugar Refining sugar at the market price, and the American Sugar Refining Company had to raise the price and leave that field unoccupied, as it could not afford to stand the loss which it had planned to inflict upon the beet-sugar refineries and thus force its only competitor to the wall.

Now, the next thing, Mr. Havemeyer, the head of the great "sugar trust," gave out an interview in which he declared—and I have that also from the testimony before the Ways and Means Committee—"that Congress ought to put raw sugar upon the free list." Notice, he wants raw sugar, not refined, to come in free. Why? Because if the "sugar trust," which is practically the sole buyer of raw sugar in this country and refiner of cane sugar, can get raw sugar upon the free list from Cuba, or raw sugar at a reduced price from Cuba and leave the duty or differential upon refined sugar, it will not be compelled to reduce its exactions upon the American consumer, but it can take the action of Congress as a club to compel the Louisiana cane-sugar producers and the beet-sugar producers of this country to sell their products at a reduced price and force the beet-sugar men to stop refining sugar.

Then the "sugar trust" would be in undisputed control of this market and the Cuban market. Thus began a campaign to manufacture a belief that Cuba urgently needed relief. By enlisting all the newspapers they could, sending out circulars through their agents, Willet and Grey, and other devices, they sought to impose upon the people of this country the idea that there was great distress in Cuba that must be relieved, trusting to our generosity and humanity to go to the rescue at any cost.

Next, the Secretary of War, who is not only a great soldier, ranking the Lieutenant-General of the Army, but is also a great lawyer, submits a very scholarly report to Congress in which he tells us our duty and describes conditions in Cuba. And yet, when the Ways and Means Committee meet to discuss what shall be done, it develops that that gentleman and soldier knows nothing about it himself except such reports as have been given to him ex parte from other sources.

And then comes another gentleman, who is a most admirable soldier and, I understand, a splendid doctor, General Wood, who sends out a circular letter for our consideration about economic conditions in Cuba, attempting to show that it costs at least 2 cents per pound to make raw sugar in Cuba and that at present prices bankruptcy must come. Yet, when confronted by some of General Wood's statements, one of the main witnesses before the Ways and Means Committee, Mr. Atkins, of Boston, merchant, sugar planter, trust refining magnate, and the owner of large plantations in Cuba, said:

While General Wood is a most estimable gentleman, and I would take his opinion on all military matters without question and as pertaining to the government of Cuba, I should prefer my own opinion in regard to the production of cane.

Thus General Wood was repudiated as an expert in such matters by the very gentlemen who appeared here in the interest of this measure. It was shown also that General Wood had made a mistake of nearly \$1 per sack in the price of raw sugar, estimating it that much too low. General Wood did not appear himself, but sent Colonel Bliss, collector of the port of Havana, as his representative before the committee. Colonel Bliss, when asked about the cost of production of sugar, said in substance:

I expected you gentlemen had found that out for yourselves. I am not an expert on that business.

Thus, when you come to the agencies that have created this sentiment, it resolves itself down to the American "sugar trust," to misinformed newspapers, to the Secretary of War, who had no information on the subject except that communicated to him by General Wood; to General Wood, who had no information on the subject as an expert; to the President, who relied upon General Wood, and American speculators owning plantations in Cuba and also closely allied with the "sugar trust."

Now, that was still insufficient to secure favorable action, and the "sugar trust" joined forces with the manufacturing and industrial trusts of this country, with the understanding that Cuba should have forced upon her a preferential duty of 20 per cent in favor of American industries seeking a market there. Then the industrial trusts of this country got behind the move-

ment, and with this combination of philanthropists, with this great aggregation of unselfish talent behind it, we have the remarkable spectacle of the chairman of the Ways and Means Committee presenting this bill, which he himself originally opposed, and—a sight to make angels weep—almost shedding tears over the distresses of the poor Cuban.

Now, Mr. Chairman and fellow-members, you may convince me some day that the moon is made of green cheese, that a black crow can become white, but you will never convince me that a Republican majority in Congress or elsewhere will advocate a bill purely and alone upon the ground of sympathy for some country in which they have no interest other than that of humanity.

If we are going to pass this bill from the standpoint of distress in Cuba, before we give up \$8,000,000 of our revenue without any reduction to the American consumer, there ought to be a sufficient showing, first, that distress exists there and, second, that the measure will relieve it.

Now, as to the question of the distress in Cuba. I admit that they have a condition down there such as confronted the people of the South after the civil war. They have their plantations mortgaged for perhaps twice—that is the testimony—of their value. These plantations are owned not by Cubans but by Spaniards and by American speculators who have gone there since the war with Spain to exploit that country.

I know that there is one gentleman, a Republican, a personal friend of mine, Mr. Hawley, then a member of Congress, who told me when this era of expansion set in that the acquisition of the Philippine Islands and the annexation of Cuba would destroy the value of every plantation in the State of Louisiana, where he then had farms, and destroy the value of every plantation engaged in the business of raising beets. Then he was radically against such a policy. Now, since the war with Spain he has gone down to Cuba and, with Mr. Havemeyer and other American sugar-refining magnates, he is at the head of a syndicate that has a 75,000-acre farm or plantation or hacienda, or whatever you call it, and has either sold out in Louisiana or else his plantations are thrown upon the market.

Now we want to relieve him, and we want to relieve those gentlemen who own plantations; and yet Mr. Hawley stated in his testimony, and he ought to know, that Louisiana sugar can not be produced for less than 3½ cents, and that any price less than that would make the Louisiana plantations of no value, and he was a witness advocating reciprocity.

Now, this reduction of 20 per cent on raw sugar will make the tariff 1.34 cents a pound. If, as the experts from the Agricultural Department say, sugar can be produced in Cuba from 1.25 cents to 1.75 cents or 1.50 cents per pound on an average, or as the Austrian or French experts say, for 1½ cents to 1¼ cents, then, according to Mr. Hawley's own statement, this bill will let in raw sugar at a price that will give relief to Spanish owners of sugar plantations, that will give relief to Mr. Havemeyer and associates, but it will be a tariff that will make every plantation in Louisiana an undesirable investment.

Now, my friends, I am ready to put the Democracy of Louisiana to any Democratic test; I am ready to put the beet-sugar raisers of this country to any Democratic test. When you are ready to take off from the "Dingley tariff" some part or all of its exactions upon the American consumer, I will go to the Democrats in Louisiana, I will go to the Democrats from the West, and say, "You must stand your pro rata of the reduction upon tariff duties until it is reduced to a revenue basis; and if you do not submit to it, you had best join the Republican party;" but I will never go to the Democrats of Louisiana, or the Democrats from the beet-sugar raising States, and say to them, "There is one thing only upon the whole tariff list—sugar—that by reason of the differential in favor of refined sugar, reducing the tariff on raw sugar will give no benefit to the consumer, and yet, not for the purpose of reducing taxation to consumers here, not to relieve Cuba, but to satisfy the rapacity of the 'sugar trust' and the overprotected industries of this country desiring to get a preferential rate of duty in Cuba, without abating any of their exactions upon the American people; you must surrender and submit to such a proposition for fear it might appear we had voted against a reduction of the tariff."

We ought never to make such a demand upon our fellow-Democrats who represent the farmers of Louisiana and the beet sugar raisers of the West. Now, then, as to the distress. Every witness before the committee—if I misstate the proposition I invite correction—every witness stated that there is no distress in Cuba at present. Colonel Bliss, the collector of the port of Habana, who was sent here as the Government representative, testified that there was no suffering in Cuba, and that all labor was employed; that the wages for agricultural labor was from \$21 to \$30 per month.

Every witness testified that every man that wants to work in

Cuba can get work at wages not less than \$21 to \$30 per month. All the witnesses testified that the price for labor in Cuba exceeds the wages paid in the South for agricultural labor, and every gentleman here who comes from that section knows that is true. But they say that it is not the distress now, but it is the distress that will come for which we must provide relief. Why, they are paying from 12 to 18 per cent in Cuba for money, and yet they are holding on to their whole crop of sugar. Down in my country, when cotton got to 4½ cents a pound, and they can not raise it for less than 6 cents, the Federal Government did not come to our aid.

Out in Kansas, when they burned corn for fuel and they were mortgaged up to their eyes, the Federal Government never came to their relief. What did we do? Simply passed a national bankruptcy law, that people who had their property mortgaged for twice what it was worth might liquidate and start out even again. Yet they say we must pass this bill in order to relieve Cuba. It will not help Cuban laborers nor the little farmer that has already sold his crop, because he worked on the shares. It can only help, if anyone, those people who have piled up the sugar down there, able to hold it and pay 12 to 18 per cent to foreign banks and carry on farms that are mortgaged to twice their value—and the gentlemen who have gone down there in Cuba expecting to make more money than the present price of sugar will permit.

Now, it is a significant fact that in almost every instance the men who have bought sugar plantations in Cuba since the Spanish war are also connected directly or indirectly with the American sugar trust. It is also worthy of mention that since this bill has been agitated the price of "sugar trust" stock advances as the prospect brightens for its passage. Now, then, suppose distress does or will exist there because of the very low price of sugar everywhere; are we under any such obligations to the Cubans as requires us to make good to them the loss upon a crop which everybody concedes is over produced in the world to the extent of a million or more tons? The witnesses all tell us that the present low price of sugar is due to the fact that there is a million or more tons on the market more than the world can consume; that all Cuban sugar comes here, and the "sugar trust" is practically the only purchaser for it.

The gentleman from New York [Mr. PAYNE] yesterday, when my colleague from Texas [Mr. RANDELL] asked him:

As you state that the price of sugar will not be reduced to the consumer here, and the reduction in our revenue will be between \$5,000,000 and \$7,000,000 on sugar, if there is no competition in this country in reference to the purchaser of raw sugar, how does the Cuban hope to get an increase in price? Why can not the purchaser put it in his pocket?—

made this answer:

The sugar trust has got to have the sugar as much as the planter has got to sell it. If they do not buy it of them, they must go to Germany—and if they go to Germany they must pay more for it—or they must take this sugar. Each one is independent of the other.

Now, Mr. Chairman, the explanation of the gentleman from New York [Mr. PAYNE] does not explain. The trust can go to Hamburg or to Cuba as it chooses. The Cuban planter can not go to Hamburg, because over there, after paying half his sugar is worth to get it there, he will find a surplus of more than a million tons in excess of the world's demand for sugar. That he can not go there is evidenced by the fact that he can not go there now, but must come here and sell to the trust the entire Cuban product and pay the present tariff rates. On the other hand, if we reduce the tariff on the Cuban sugar coming here 20 per cent, and the trust does not care to give the Cubans the benefit of it, it will simply say, "I do not care to buy your sugar."

The gentleman from New York says that "the trust has got to have it," when the proof shows that the product of sugar in Cuba is about 800,000 tons, while the world's surplus is more than a million tons. The trust can thus refuse to buy from the Cubans and fill from this surplus supply all its demands for American consumption until the Cuban gets ready to sell to the trust at the price the trust is willing to pay. If the Cuban is able to hold out against the trust, he is certainly not in such a distressed condition as to need relief from us. So, Mr. Chairman, while his answer might have been satisfactory to the gentleman from New York, I do not think my colleague was very much enlightened thereby. [Laughter.]

Now, Mr. Chairman, they say there is distress in Cuba and it is our duty to relieve it. I have attempted to show that distress does not exist there, and if it did, I deny that it is our duty to relieve it. It was well said by the gentleman from Minnesota [Mr. MORRIS] that "we have expended \$250,000,000 in giving the Cubans their liberty." We relieved them of about \$300,000,000 indebtedness to Spain. We have also established splendid sanitary conditions in Habana. I know that to be the fact because I have visited that city since General Wood began his splendidly inaugurated system. It occurred to me while I was there that General Wood was putting sanitation, like any other good doctor, ahead

of everything else; he was investigating that and applying his ability thereto as his first consideration. He had the penitentiary there cleaner than this hall. He had all the old Spanish barracks cleaned out and had converted them into schools. He has done a splendid work, and I have no criticism to make of him.

But, say some, we are under obligations to give Cuba trade concessions because we forced the Platt amendment upon her, and she can not thereby make commercial treaties with any country other than this. That claim is not worthy attention. The only provision in regard to treaties in the "Platt amendment" is "that Cuba shall not enter into any treaty with any foreign power which will impair her independence." One need not be a lawyer to understand that this provision has no application to commercial treaties. No Democrat will contend that a commercial treaty, which is always made to further freer trade relations, is in any sense the impairment of the independence of either contracting party.

But, Mr. Chairman, if there was distress in Cuba, and we were under obligations to relieve it, in my judgment the pending bill would not relieve the distress or discharge the obligations. All the witnesses testified before the Committee on Ways and Means that the reduction provided in this bill from the tariff on Cuban sugar would not save the sugar planters. President Roosevelt is on record as saying so; Governor-General Wood says so; Colonel Bliss says so; president-elect of the Cuban Republic, Mr. Palma, says so. They are the friends of reciprocity with Cuba. We who oppose the bill deny that it will benefit the Cuban planters, but claim that the "sugar trust" will pocket the reduction. Colonel Bliss, the friend of reduction, only estimated that 30 per cent of the reduction would go to Cuban planters.

What will become of the other \$5,000,000 of our revenues which we are asked to vote away, even if the trust does not pocket the entire concession, as we claim? There is no gentleman on this side of the Chamber who will deny that it is in the power of the "sugar trust" to put all this concession into their pockets. They say if the trust does so that we will throw the responsibility on the trust; we will go before the American people and denounce the trust. I would like to know whom you would get to trust you if your legislation in Congress is such as to enable the trust to pocket \$6,000,000 to \$8,000,000 unless generously inclined to divide with the Cubans? It is not necessary to do this to convince the American people that the trust is a public enemy—something that everybody who is not in a trust now admits.

Besides, Mr. Chairman, this bill is unfair to Cuba at this time. If we want to be honest with the Cubans, if we think it right to give them some concessions and that concessions are necessary to relieve distress, we should simply reduce the tariff upon Cuban goods coming in here. Their tariff now upon our goods is less than one-third of the rates we charge them. We have a military government down there under General Wood. We had him fix these low rates of duty upon our goods going there. We have a Congress here. Why not simply lower our rates upon her goods coming here, without driving a conscienceless bargain, such as this? There is nobody authorized to represent the Cubans. I asked the gentleman from New York yesterday who was authorized to represent the Cubans or to agree for them. He said no one, so far as he knew. Now, in May the Cubans will have a government of their own choosing; that is, speaking theoretically—

Mr. CLARK. Ironically.

Mr. BALL of Texas. Yes; ironically, as the gentleman from Missouri says, because it so happens that the American authorities in Cuba, no doubt under instructions from the Republican Administration here, forced Cuba to elect a man for president of the new republic that had not set his foot upon her soil for twenty-five years. He is said to be with the trust himself. Still Cuba will have her own government in May. If we were not absolutely hypocritical in our professions, if relief for Cuba was our object, we would at this time lower our duties upon Cuban products temporarily, and wait until authorized representatives of Cuba could treat with us as to future trade relations. But that would not satisfy the "steel trust," the "beef trust," and all the other "trusts."

The "steel trust" and the "beef trust," the latter of which has within the last few days fixed the price of beef at such a figure as will cost the American consumers \$100,000,000 per annum, have said, "Before you shall relieve Cuba you must make them give us the trade that we may be able to get there, not at the 20 per cent reduction, but with a tariff of 20 per cent in our favor as against all the nations of the earth." The tariff in Cuba against them is only 5 per cent now. They want 20 per cent preferential there, and are willing to trade off the sugar interests here to get it, although the gentleman from Pennsylvania [Mr. DALZIEL] is reported to have said "he would die in the last ditch" before he would consent to a reduction of our duty on steel.

I yesterday questioned the gentleman from New York [Mr. PAYNE] as to whether it was not the fact that if the Cubans were

unable to grant or did not grant all the concessions that the bill asks—that if they refused to exempt a single article out of the thousands which we send them from the demanded reduction, or to pass our immigration laws, whether then this bill would not fall to the ground, and relief be refused Cuba. And the gentleman answered, "Yes."

I say, then, that it is unfair and hypocritical for gentlemen to come here and under the guise of humanity make a plea for "distressed Cuba," and at the same time say, "We have put a military government over you; we have elected a president for you who has not been in your country for a quarter of a century; you are on the verge of ruin, yet if you do not consent to this hard bargain, if you do not agree to it, you can starve and go into bankruptcy, or go to a warmer place than Cuba."

Mr. KLEBERG. And it is also proposed to require them to keep out the immigrants that we do not want there.

Mr. BALL of Texas. Yes. As suggested by my colleague [Mr. KLEBERG], we propose to force upon them our immigration laws without regard to whether it is to their interest to have such laws or not. We propose to put into the hands of the President of the United States legislative, judicial, and executive powers that he may present to the Cuban people a bill that is more onerous in its conditions than was the Platt amendment, against which every gentleman on this side of the Chamber voted.

I can not favor such cant and hypocrisy. If the Republican majority in this House desire to pass this bill, let them be honest with themselves and the country. Let them say bluntly and unblushingly that before they turn Cuba loose they will take advantage of her distressed condition to impose upon her a further renunciation of her rights of sovereignty, in order that the trusts of this country that have fattened upon the American people may grow richer and more powerful by devouring the substance of the Cubans, whose friends you pretend to be.

Mr. ROBINSON of Indiana. The gentleman from Texas speaks of our enforcing this obligation upon the Cuban people as if it were in line with the Platt proposition. Is it not true that it is proposed only to authorize an agreement to be made which the Cubans may, if they choose, assent to, in case they deem it beneficial to their interest to do so?

Mr. BALL of Texas. That is true; but I will ask the gentleman from Indiana whether he believes that the condition of distress which has here been spoken of exists to-day in Cuba?

Mr. ROBINSON of Indiana. I think it does not at this time.

Mr. BALL of Texas. All right. Now, if there is no distress down there at this time, if the Cubans are not yet in the possession of the right of self-government, if nobody authorized to speak for them has asked for the passage of this bill, the American Congress has no right, in order that these American trusts may rob those people, to demand at the hands of the Cubans at this time assent to this proposition. On the other hand, if it is true that there is distress in that country at the present time, it is hypocritical and cowardly for us to demand that in their distressed condition they shall make these concessions for the benefit of American industries which need no protection there.

Mr. Chairman, with Republican dissensions and differences I have no concern. I am glad to see gentlemen on the other side showing a lack of harmony upon this matter. I trust that in the providence of an all-wise Creator the result will be the wiping of a sufficient number of them out of the successful lists at the coming elections to give us a chance to look at the books and to put a check upon unrestrained Republican legislation.

It makes no difference to me that the Republican party, in looking over the field of American industry, when they framed their last national platform found only one industry to be made the subject of a specific promise—only one which it thought required special nurture—and that was the beet and cane sugar interests of this country, an industry that admittedly can not compete with the favorable climatic and other conditions in Cuba.

So the Republican convention solemnly promised those people that when they invested their money in this industry the Republican policy would not take any part of their protection away. It matters not to me that the gentleman from New York said that this protection would not be disturbed for twenty-five years. I think it is perfectly consistent for the Republican majority at its own pleasure—I do not criticise them for it—to break any promise on earth that they have made in case a different action will redound to their advantage.

The Republican party would be inconsistent to be consistent. [Laughter.] I care not what Republican protectionists may do in this matter. "Gentlemen upon this side of the Chamber who vote for a Republican Administration measure should not charge the opponents of the bill with protection proclivities. Certainly, my objections to the bill are not from a desire to "protect" anybody. I am against this bill as a Democrat, and shall point out some of the many reasons why, in my judgment, it contravenes Democratic theories, touching the use of the taxing power of the

Government. It is not my purpose to assail Democrats who insist upon voting for this bill.

I know that it does not commend itself to any Democrat here, and yet many Democrats will vote for it. No doubt the objections which are so potent with me are not so vital with them. Perhaps this is due to inability to agree either with my premises or conclusions. If they could see it as I do, they would conclude that there is not a line of Democratic thought in the bill from caption to finish. It is Republican in essence and substance and not in form only. It will bring no reduction in taxation to consumers here. It will result in a loss of revenue of from six to eight millions of dollars.

The "sugar trust" will be the chief if not the only beneficiary of the revenue we surrender. Under it we begin a system by which the taxing power of the Government, under the guise of reciprocity, is converted into an instrument of barter and trade with other countries, which followed up would prevent any such thing as tariff reform and engage us in a war of reprisals and retaliation with other countries. It gives double protection to the great trusts of the country. It forces Cuba to abandon a revenue-tariff system and adopt a protective-tariff system for the benefit of protected industries here.

CONSUMERS WILL NOT BE BENEFITED.

Now, as to the first proposition. All the witnesses before the Ways and Means Committee, for and against the bill, as well as the "sugar trust," which is urging it, concedes that this measure will not reduce the price to our consumers, and with this every Democratic member of the Ways and Means Committee and every Republican member of that committee is agreed. As a Democrat, I undertake to say that there can be no reduction of tariff in a Democratic sense that does not take off a part of the tax upon consumers. This proposition is therefore a mere juggling with tariff schedules and not a reduction of taxation.

I have endeavored in the course of my remarks to demonstrate that this condition is brought about by maintaining a differential or higher duty upon refined sugar than upon raw sugar coming here, this differential in favor of the "sugar trust" prohibiting the importation of refined sugar here and giving the trust control of our market.

I object to it, for the second reason, because it takes away, without reducing the price to the consumer, six to eight millions of dollars of revenue from the Federal Treasury and, in my judgment, puts it into the pockets of the sugar trust. I do not think that any Democrat desires to do that.

Now, this is why I say it will go to the sugar trusts: In the first place there is, as I understand it, 10,000,000 tons of sugar raised in the world. We constitute one-fifteenth of the population and we consume about one-quarter of the sugar raised in the world, or about two and a half million tons, I believe. We raise of that, from cane and from beets in this country, not counting Hawaii and Porto Rico, about 300,000 tons. Taking in the production of Hawaii and Porto Rico it makes about a third of our consumption. The balance is derived equally from Cuba and from foreign markets, as I understand it.

Now, there is a million tons of sugar on the market in the world more than there is demand for consumption. When this bill becomes a law it reduces the duty upon raw sugar 20 per cent and retains the differential in favor of the "sugar trust." That differential is also reduced 20 per cent, but it will still be one-tenth of a cent a pound, which means upon the Cuban sugar \$1,600,000 per annum at present rates. Now, no one can refine sugar in Cuba when he can ship the raw material over here at the same price and get \$1,600,000 more for it.

Consequently there can be no reduction to the consumer except by grace of the trust, and if gentlemen on this side of the Chamber are willing to give away \$8,000,000 on a bare chance that it will reach distressed Cubans in case distress should occur, which does not now exist, and trust the American Sugar Refining Company to distribute it, they certainly have faith to beat the band and faith sufficient to warrant them in being very hopeful for the hereafter. [Laughter.] So far as I am concerned, I decline to take \$8,000,000 of revenue out of the Federal Treasury and start it on its way to anticipate distress in Cuba and trust the American sugar trust to distribute it. [Applause.]

Now, as to the policy of reciprocity. Once this so-called reciprocity is entered upon, what becomes of your tariff schedules adjusted from the American standpoint for revenue only? Why, they tell me that Thomas Jefferson believed in reciprocity. There have been more crimes committed in the name of Thomas Jefferson than there have been in the name of liberty. Men who never vote a Democratic ticket quote Thomas Jefferson. Men who do not subscribe to anything that Jefferson ever taught or believed quote Thomas Jefferson in order to sustain their arguments.

I undertake to say that Mr. Jefferson through his whole life believed in and looked forward to and hoped for a happy and prosperous agricultural and pastoral people. Mr. Jefferson taught

that commerce should be the handmaiden of agriculture. He never taught that agriculture should be the slave and handmaiden of commerce. If any gentleman will show me where Thomas Jefferson ever proposed by reciprocal duties to swap off the American agricultural interests at any time in order to give great corporations and trusts that are robbing our people here and want to rob the Cubans abroad entry into foreign markets, then I will agree to resign my seat in Congress, and I have no present desire to do that. [Laughter.]

The distinguished gentleman from New York [Mr. McCLELLAN] quoted Mr. Jefferson to show that he favored reciprocity. The gentleman from New York calls upon Mr. Jefferson when it suits his purpose. If he were called upon to follow Jefferson in advocating the free coinage of gold and silver, even at the commercial ratio, he would say that conditions had changed since Mr. Jefferson's time. Since Mr. Jefferson's time we have utterly changed our tariff system. We had no Dingley tariff then. We sought only to get a market for agricultural products under a policy of free trade, or the freest possible trade. If Mr. Jefferson had views as to reciprocity then, conditions were utterly different from those now existing. They differed certainly as night from day from the reciprocity ideas in this bill.

In Mr. Jefferson's day our tariff duties were not restrictive of free commerce with all nations, while foreign restrictions upon our trade and upon our vessels were numerous and vexatious. His only idea was by friendly arrangements with the nations, where such restriction existed, to secure, by friendly arrangements, their repeal, and as a last resort, in case of failure, by countervailing duties here, which he greatly deprecated, to compel other governments to treat us with the same liberality we treated them. Mr. Jefferson said:

Free commerce and navigation are not to be given in exchange for restrictions and vexations.

In the report from which the gentleman from New York quoted on yesterday, sent to the House of Representatives on December 16, 1793, Mr. Jefferson, then Secretary of State, advocated free trade with all nations or with any nation that would accede thereto. Let me read therefrom:

Would even a single nation begin with the United States this system of free commerce, it would be advisable to begin it with that nation, since it is one by one only that it can be extended to all.

Further on, from the same document quoted by the gentleman from New York, I read:

Our commerce is certainly of a character to entitle it to favor in most countries. The commodities we offer are either necessities of life or materials for manufacture or convenient subjects of revenue, and we take in exchange either manufactures, when they have received the last finish of art and industry, or mere luxuries.

How different the application of Mr. Jefferson's views from the views of the gentleman from New York [Mr. McCLELLAN] embodied in this bill. Our tariff laws here were not then restrictive. Mr. Jefferson sought a market for agricultural products going abroad by giving free trade to finished products coming here.

Thus he sought to confer a benefit upon the producers and consumers of this country alike. This bill proposes leaving the high-protective tariff, by which consumers and taxpayers are subjected to monopoly and trust robbery at home, untouched and give these monopolies and trusts additional advantages by bringing the products of Cuba, agricultural and horticultural, in competition here with our agricultural interests in such a way as to inflict a loss upon our producers without reduction of taxation to consumers and to further enrich the "sugar trust." Think of Thomas Jefferson standing for such a policy!

Why, Mr. Jefferson was trying to open a market for the farmers of this country, not for the trusts. No man ought to call upon the name of Thomas Jefferson and intimate that he would have gone down to a helpless country, tied hand and foot, with our military governor still there, and say to them, "You are starving; you are distressed; you have nothing but sugar; we will give you 20 per cent reduction that will not help our consumers, but go to the trusts, but unless you give 20 per cent preferential duty on everything manufactured in this country, which the trusts are selling abroad for less than they are selling at home, you may starve and your distress go unrelieved." Think of Thomas Jefferson proposing a thing like that!

Now, reciprocity treaties, when entered upon, mean the surrender of the constitutional prerogative of this House to originate revenue bills. They mean treaties negotiated by the Senate fixing all tariff schedules. Over in the Senate, at the other end of the Capitol, they have already brought in a report saying that they have authority—and I believe they have—to negotiate tariff treaties without reference to the wishes or convictions of the House of Representatives. Once done, just as in the oleomargarine and the butter fight, upon which my friends from Minnesota and myself are so wide apart, it is a question of the most powerful industry getting the most votes to cripple another.

When we once enter upon this programme and mode of adjusting tariff schedules, the result will be that you will start a competition in this country of the great and powerful interests seeking to gain entree into foreign markets by making a sacrifice of the weaker vessels. What does that mean? Who are always the most powerful? Will organized capital, in the shape of consolidation along modern lines, led by those the President of the United States calls "captains of industry," be the ones that will go to the wall; or will it be the agricultural and horticultural interests of this country that will be sacrificed for trade concession for overprotected monopolies?

What do you think about it? Other countries will have their own peculiar interests to consult. There will be certain classes of goods that they wish to get in here without regard to our interests, and there will be a conflict of interests at home and abroad. Instead of adhering to the true doctrine of Mr. Jefferson, "Peace, amity, and commerce with all nations, entangling alliances with none," making tariffs here that all could afford to come and do business under upon equal terms, treating them fairly and honestly and giving them the same privileges, we will have retaliatory measures, reprisals, conflicts of greedy and selfish interests, that will make it impossible to form a scientific, properly adjusted schedule for revenue for "the support of the Government honestly and economically administered."

How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has four minutes remaining.

Mr. BALL of Texas. Now, another thing, Mr. Chairman. While I do not believe in the formation of tariff schedules by reciprocity treaties, I am not alone in my opinions. The doctrine of reciprocity was inaugurated once before in this country and failed, and we are not without Democratic declaration upon that point. After Mr. Blaine had negotiated his celebrated reciprocity treaties the Democratic party met in convention, in 1892, and made the best tariff plank, in my judgment, ever written in the history of the Democratic party. It was short, simple, and easily understood. It declared what I believe then and now indorse, "that the Government is without constitutional power to lay and collect taxes except for the support of the Government, honestly and economically administered." That was and is good Democracy; but they did not stop there. The Blaine treaties had then been negotiated, and here is what they said about that kind of treaties:

Trade interchange on the basis of reciprocal advantages to the countries participating is a time-honored doctrine of the Democratic faith, but we denounce the sham reciprocity which juggles with the people's desire for enlarged foreign markets and freer exchange by pretending to establish closer trade relations for a country whose articles of export are almost exclusively agricultural products with other countries that are also agricultural, while erecting a custom-house barrier of prohibitive tariff taxes against the richest, and the countries of the world that stand ready to take our entire surplus of products, and to exchange therefor commodities which are necessities and comforts of life among our own people.

What does this bill propose? Precisely the same character of treaty that Mr. Blaine negotiated in the behalf of those same interests. That is, the concessions we give are purely to agricultural products, a menace to the agricultural interests here, while the concessions they give us are to the overprotected interests of this country, who, not content with robbing us, desire to go down to Cuba and rob them to the tune of 20 per cent more than they are now robbing them. So that, as was so tersely and well stated by the distinguished gentleman from Ohio, General DICK, whose astuteness as a campaign manager is well known, "If you adopt this policy it means free trade for the farmers and protection for the trusts."

I am sure that no Democrat desires to enter upon such a policy. There is another objection. The bill gives double protection. Can that be Democratic? I can prove this proposition absolutely beyond question. It is not contended that the present prohibitive rates of the Dingley bill, which prevent competition with American industrial interests here, will be affected so far as our producers and consumers are concerned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK. I ask unanimous consent that the gentleman may be allowed to conclude his remarks.

Mr. PAYNE. I would like to know something about that, for it is about time to adjourn.

Mr. BALL of Texas. I do not care to go on to-morrow, and I will conclude my remarks in about fifteen minutes.

Mr. PAYNE. I will not object to fifteen minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from Texas may continue for fifteen minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BALL of Texas. The American consumer will not be benefited by this bill. How about the trusts? I have already shown that the "sugar trust" is protected here by a differential in their favor which gives them the control of our market by naming the price of raw sugar to the producer and refined sugar

to the consumer, and that under this bill the differential is still retained enabling the "sugar trust" to buy its raw sugar cheaper without the necessity of reducing the price of refined sugar to the consumer. It can not be denied also that the present high tariff rates effectually prevent foreign competition from forcing a reduction of the price of articles manufactured by the trusts, which control the industrial interests of this country. They are therefore left unrestrained to garner enormous profits at the expense of our people. That is protection number one.

Now for the double protection. By this bill we do not demand of Cuba that she shall reduce her tariffs upon our goods seeking a market there. We simply exact at her hands that she must charge all other countries with which she deals 20 per cent higher duties than she charges us. Therefore American manufacturers who are now getting into Cuba upon equal terms with all the world will, when this bill becomes a law, be able to tax Cuba 20 per cent more than her consumers are now paying. In other words, we protect them here against foreign competition and force Cuba to protect them there against all competition.

Now, does not this give the "trusts" double protection?

But, Mr. Chairman and fellow-members, there is one proposition, which is the last I shall make, which ought to condemn this measure in Democratic hearts and Democratic minds—a proposition that makes the bill absolutely indefensible from a *Democratic standpoint*. This measure forces Cuba to abandon her system of tariff for revenue only and *adopt a protective-tariff system*. What Democrat will defend such a proposition? Nay, more; it forces Cuba to adopt a protective system against her own interests and not for her protection, but for the protection of our industries seeking a market there. We do not say to Cuba, "Reduce your duties upon our goods and let your consumers get the benefit thereof," but "Make your duties as you will, provided they be 20 per cent greater upon the goods of other countries than upon our goods."

Let me demonstrate that Cuba is now upon a revenue basis. In the first place, her tariffs have been fixed by our own agents, and adjusted for no other purpose than to supply revenues to run our military government there. All concessions that could be made in our favor have already been made. According to Colonel Bliss, our collector at Habana, Cuba's tariff rates now average an *ad valorem* duty of 21½ per cent. We furnish Cuba all her flour, 75 per cent of her mules, 95 per cent of her hogs, 99 per cent of her corn, 89 per cent of her bran and fodder, 98 per cent of her oats, 90 per cent of her hay, all her canned, fresh, salt, and pickled beef, nearly all her bacon, ham, pork, lard, oleo-margarine, condensed milk, wood, lumber, shingles, and furniture.

In addition to these products we also send to Cuba, of her total imports, brick, 90 per cent; railway and street cars, 99½ per cent; coal, 99 per cent; steel and steel rails, 88 per cent; agricultural machinery, 98 per cent; sewing machines, 90 per cent; engines, locomotives, and boilers, 82 per cent; sugar machinery, 93 per cent; all other machinery, 88 per cent. We are therefore not suffering to get the products of our mines, farms, forests, and pastures into Cuba. It is true she takes by far the larger part of her cotton goods from foreign lands, but that is not due to our inability to get into her market. Cuban rates upon cotton goods is but 23½ per cent. We get into China in competition with the world without a discriminating duty in our favor and without the advantage of near-by transportation. The reason we do not get into Cuba our cotton goods is that our patterns and styles are not adapted to their tastes and our merchants do not give long-time accommodations. Other countries have studied their wants; we must do the same.

But I have digressed somewhat from the proposition that Cuba is now upon a revenue basis so far as her tariff rates are concerned. I will say in passing that our agricultural products, sugar machinery, and structural iron are now practically upon the free list, the rate upon the latter being only 5 per cent *ad valorem* duty. It developed before the Ways and Means Committee that the revenues derived from the present tariff were hardly sufficient to support the government, and that the Cubans were disinclined to resort to other forms of taxation. Under the Platt amendment Cuba can not contract debts in excess of her revenues. Therefore, to give us the preferential duty of 20 per cent demanded by this bill, she must do it not by lowering her duty upon our goods, but by raising her duties upon foreign goods, thereby necessarily increasing their cost to Cuban consumers.

In proof of my statement that it would be necessary, in complying with this bill, to have Cuba change her revenue system to a protective system, I quote from the testimony of Colonel Bliss before the Ways and Means Committee:

In order to secure this trade it would be necessary to inaugurate a new system of tariff for Cuba, under which the minimum duty would be equal to the duty charged now, while the maximum would be, perhaps, about 33½ per

cent higher. In some cases it need not be that high, while in others it would have to be higher.

Commenting upon this statement, the chairman of the committee [Mr. PAYNE] said:

Sufficiently advanced, in other words, to give the trade to the United States?

To which Colonel Bliss replied:

Yes, sir.

Some gentlemen insist that Cuba might reduce her tariffs upon our goods and not raise them upon other foreign goods and still have revenues sufficient for her purposes. This upon the theory that a reduction of duty might increase importations and cause a corresponding increase of revenue. While this might be true, and would be true if Cuba had a protective system now, it is not true that you can increase revenues by lowering duties upon importations already admitted upon a revenue basis.

But, Mr. Chairman, even if we concede that the Cubans would reduce their tariff upon our goods going there under this bill and not raise her duties upon importations from other countries, my proposition is still true; because if Cuba can afford to lower her duties upon our products and increase her revenues, it is also true that she could lower her duties upon other foreign importations and increase her revenue thereby and give her consumers the benefit of competition. Gentlemen who contend otherwise are begging the question and standing out against a common-sense proposition. The whole purpose of the bill is to say to Cuba, "You must give American industries protection to the extent of 20 per cent against foreign competition."

Now, where is the Democrat who can consistently say that protection is all wrong for American industries at our expense and all right in Cuba at her expense for the benefit of interests not her own? It is high handed and indefensible for us to go to helpless Cubans, under the pretense of giving them relief and giving them liberty, and say to them, you must make a perpetual treaty that you will at all times give the industrial interests of this country the advantage of 20 per cent, and 20 per cent protection, regardless of what your interests may be and regardless of what the cost to the consumers in Cuba may be.

If there is a Democrat that will get up here and announce that that proposition is not absolutely indefensible, that it is not grossly immoral, outrageously unjust, undemocratic in substance, in form, and in everything that goes to make up Democratic faith and Democratic doctrine, I want to hear him. It makes no difference what gentlemen's views may be as to whether this relief will go to Cuba or whether relief ought to go to Cuba, they ought not to violate Democratic doctrine in order to advance selfish special interests.

Members are here condemning Louisiana sugar men and beet-sugar men for voting in their interest, as they say, regardless of Democracy, and yet they propose to vote for a bill that forces Cubans to protect American industries for all time to come to the extent of 20 per cent against all foreign competition. How dare they criticise Louisiana Democrats and beet-sugar men for saying it is wrong to make an exception against them in a manner that does not inure to the benefit of the American consumer under the pretense of tariff reduction or getting reciprocal trade relations?

Now, Mr. Chairman, it is not my purpose to attempt to influence any Democrat on this floor. I care not how the Republicans vote, but when Democrats tell me that in order to prevent criticism at home, for fear somebody will say that I voted against tariff reduction, and to avoid the necessity of an explanation, I should vote for this un-Republican and un-Democratic measure, this hybrid which comes here under the tongue of disrepute, repudiated by the Cubans themselves (because their absentee President says that less than 33½ per cent will do Cuba no good, and General Wood tells you that 20 per cent reduction will do Cuba no good), I answer that I will not accept such advice.

So far as I am concerned, when I get home they will not ask me for an explanation. The only explanation that was ever asked of a Democrat down in the Democratic stronghold of Texas is, How comes so many Democrats to vote with the Republicans? [Laughter.] We always have to explain that when we do. [Laughter.] No Democrat was ever asked, when the Populist party was about to take Texas away from the Democracy, why Democrats voted against Republican measures. The question was always, Why do so many Democrats vote with Republicans in Congress and help them get through their measures? [Laughter.]

This is an Administration measure; this is a trust measure; this is an un-Democratic measure. I do not care about its violation of Republican-platform pledges—it does not come here under the banner of Democracy. There is no Democratic standpoint from which you can defend it, and if I have to make an explanation when I go home, I am going to cast a vote here that I can explain when I reach there.

I will not cast a vote that the only explanation I could give would be that I was afraid that somebody might think I voted against tariff reduction, when, if any man asked me if it was for tariff reduction, I would be obliged to tell him no.

I expect to vote, as I have in the past, according to my convictions, with sincerity and perfect fidelity to my sense of duty and allegiance to Democracy, conceding to every gentleman here on this side of the Chamber, if he sees fit to differ with me, the right to do so. I intend always to cast my vote regardless of what somebody at home may be thinking, and without keeping my ear to the ground to hear the rumbling of popular opinion.

I intend to so vote that I can go home and say to my people: This bill was not approved by anybody; that it came in here as a compromise Republican Administration measure as the handiwork of Republicans whipped into line by patronage and promises of various kinds and under pressure from improper influences. I do not want to be obliged to admit that we got into the Republican band wagon for fear somebody would think we were all gone wrong on tariff reform.

I will tell them I believed the measure was brought in to help out the Republican Administration, to help out the Republican leaders from an unpleasant dilemma; that it was Democratic in no degree or in any respect; that it gave double protection to the trusts; that it put \$8,000,000 into the pockets of the sugar trust and took it out of the Federal Treasury without any benefit to the American consumer; that it is sham reciprocity; that we were holding up the Cubans while they were helpless and forcing them to accept conditions more onerous than the Platt amendment.

I will tell them these were my honest, conscientious convictions, and they will say to me what they have always said heretofore—that "We want you to vote your convictions, even if you make a mistake sometimes, because we don't want a Representative that is afraid to vote against Republican principles for fear he will incur criticism at home." [Prolonged applause.]

Mr. PAYNE. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, Mr. SHERMAN reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 12765) to provide for reciprocal trade relations with Cuba, and had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. R. 74. Joint resolution relating to publications of the Geological Survey—to the Committee of Printing.

S. 234. An act granting an increase of pension to James Frey—to the Committee on Invalid Pensions.

S. 694. An act granting a pension to Jane Caton—to the Committee on Invalid Pensions;

S. 899. An act granting an increase of pension to George F. Bowers—to the Committee on Invalid Pensions;

S. 1934. An act to provide for the purchase of a site and the erection of a public building thereon at Biloxi, in the State of Mississippi—to the Committee on Public Buildings and Grounds;

S. 2409. An act granting an increase of pension to John A. Rotan—to the Committee on Invalid Pensions.

S. 2738. An act granting an increase of pension to James W. Hankins—to the Committee on Invalid Pensions.

S. 2975. An act granting an increase of pension to Levi Hatchett—to the Committee on Invalid Pensions.

S. 3334. An act granting an increase of pension to Thomas E. James—to the Committee on Invalid Pensions.

S. 3421. An act for the relief of Eleonora G. Goldsborough—to the Committee on Claims.

S. 3992. An act granting an increase of pension to David M. McKnight—to the Committee on Invalid Pensions.

S. 4042. An act granting an increase of pension to William H. Norton—to the Committee on Invalid Pensions.

And then, on motion of Mr. PAYNE (at 5 o'clock and 12 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Herman Graef against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting a letter from the Surgeon-General of the Army and recommending the retirement of that officer with the rank of major-general—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, in response to the inquiry of the House, a report in relation to improvements in the Missouri River near St. Joseph—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, recommending certain amendments in the fortifications appropriation bill—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MOODY of Oregon, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 2632) to amend an act entitled "An act granting to the Clearwater Valley Railway Company a right of way through the Nez Perces Indian land in Idaho," reported the same without amendment, accompanied by a report (No. 1515); which said bill and report were referred to the House Calendar.

Mr. WM. ALDEN SMITH, from the Committee on Pacific Railroads, to which was referred the bill of the House (H. R. 10299) authorizing the Santa Fe Pacific Railway Company to sell or lease its railroad property and franchises, and for other purposes, reported the same with amendments, accompanied by a report (No. 1518); which said bill and report were referred to the House Calendar.

Mr. GRIFFITH, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 3800) to grant certain lands to the State of Idaho, reported the same without amendment, accompanied by a report (No. 1519); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURTON, from the Committee on Rivers and Harbors, to which was referred the joint resolution of the Senate (S. R. 56) providing for a modification in the adopted project for the improvement of Everett Harbor, Washington, reported the same with amendments, accompanied by a report (No. 1520); which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 945) granting an increase of pension to William W. Richardson, reported the same with amendment, accompanied by a report (No. 1516); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12468) for the relief of Phineas Curran, reported the same with amendments, accompanied by a report (No. 1517); which said bill and report were referred to the Private Calendar.

Mr. SALMON, from the Committee on Claims, to which was referred the bill of the House (H. R. 4969) for the relief of Madison County, Ky., reported the same without amendment, accompanied by a report (No. 1521); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills; which were referred as follows:

A bill (H. R. 3243) granting a pension to William Cromie—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13148) for the relief of the personal representatives of John McCabe and Patrick McCabe, deceased—Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CUMMINGS: A bill (H. R. 13474) providing for the construction of 30 submarine torpedo boats—to the Committee on Naval Affairs.

By Mr. YOUNG: A bill (H. R. 13475) to provide for the improvement in breeding of horses for general-purpose uses, and to enable the United States to procure better remounts for the cavalry and artillery service—to the Committee on Military Affairs.

By Mr. BURLEIGH: A bill (H. R. 13500) for the establishment of a light-house and fog signal at Isle au Haut, Me.—to the Committee on Interstate and Foreign Commerce.

By Mr. OLMSTED, from the Committee on Elections No. 2: A resolution (H. Res. 205) on the contested-election case of John E. Fowler v. Charles R. Thomas—to the House Calendar.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 13476) granting a pension to James Hawkins—to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 13477) granting an increase of pension to Jason Stevens—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 13478) granting an increase of pension to Charles La Forest—to the Committee on Invalid Pensions.

By Mr. GILLET of New York: A bill (H. R. 13479) granting a pension to Ira P. Smith—to the Committee on Invalid Pensions.

By Mr. HANBURY: A bill (H. R. 13480) to provide an American register for the steamer *Brooklyn*—to the Committee on Interstate and Foreign Commerce.

By Mr. JACKSON of Kansas: A bill (H. R. 13481) to correct the military record of William Martinson—to the Committee on Military Affairs.

By Mr. KEHOE: A bill (H. R. 13482) granting an increase of pension to Benjamin B. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13483) for the relief of Robert Ross—to the Committee on Military Affairs.

By Mr. LESSLER: A bill (H. R. 13484) granting a pension to Hermann Cantor—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 13485) granting a pension to Louisa Josephine Stanwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13486) granting an increase of pension to Elvira P. Gill—to the Committee on Invalid Pensions.

By Mr. METCALF: A bill (H. R. 13487) granting a pension to Cornelia A. Thompson—to the Committee on Invalid Pensions.

By Mr. BURK of Pennsylvania: A bill (H. R. 13488) granting a pension to George A. Cooper—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 13489) to remove the charge of desertion from the military record of Ephraim W. Reynolds—to the Committee on Military Affairs.

Also, a bill (H. R. 13490) granting a pension to Wilson M. Mayo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13491) granting a pension to Franklin Palmer—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 13492) granting an increase of pension to John W. Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13493) for the relief of Lewis Anderson—to the Committee on War Claims.

By Mr. STORM: A bill (H. R. 13494) to provide for the extension of letters patent for an "Improvement in insulating submarine cables"—to the Committee on Patents.

By Mr. THOMAS of North Carolina: A bill (H. R. 13495) for the relief of R. N. White—to the Committee on War Claims.

Also, a bill (H. R. 13496) for the relief of the heirs of C. H. Foy—to the Committee on War Claims.

By Mr. YOUNG: A bill (H. R. 13497) for the relief of the heirs of Dr. Samuel E. Hall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13498) for the relief of John T. Brewster—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 13499) granting a pension to Adam Young—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

By Mr. BROWN: Resolutions of the Wisconsin Farmers' Institute, Oconomowoc, Wis., relative to the coloring of oleomargarine—to the Committee on Agriculture.

Also, resolutions of the same institution, in favor of the rural free-delivery system—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the same, favoring a bill for the establish-

ment and maintenance of schools of mines and mining—to the Committee on Mines and Mining.

By Mr. BURK of Pennsylvania: Resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, petition of Naval Command No. 1, Camp 91, Spanish-American War Veterans, Philadelphia, Pa., in support of House bill 3097, to reimburse them for money spent in clothing, etc.—to the Committee on Naval Affairs.

By Mr. BURLEIGH: Petitions of mariners and citizens of Gloucester, Me., and vicinity, for a light-house at the southwest entrance of Isle au Haut Thoroughfare, State of Maine—to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON: Papers to accompany House bill 13472, granting an increase of pension to Lewis E. Wilcox—to the Committee on Invalid Pensions.

By Mr. CASSEL: Resolutions of Lieutenant William N. Child Post, No. 226, Marietta, Pa., and John M. Good Post, No. 502, Elizabethtown, Pa., Grand Army of the Republic, approving of House bill 3067—to the Committee on Invalid Pensions.

By Mr. COOMBS: Petition of R. Wylie and others, of Napa, Cal., asking for an amendment to the Constitution defining legal marriage—to the Committee on the Judiciary.

Also, resolutions of Retail Clerks' Union No. 506, of Petaluma, Cal., favoring the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of the same, favoring the Chinese-exclusion act—to the Committee on Immigration and Naturalization.

By Mr. CONRY: Petition of Charles McManus and others, urging the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

By Mr. COONEY: Protest of business men of Humansville, Mo., against the enactment of House bill 6578, known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CROMER: Petition of A. McCormick and others, urging the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

Also, resolutions of Typographical Union No. 284, of Anderson, Ind., relating to House bill 5777—to the Committee on Patents.

Also, resolution of Bolt and Nut Makers' Union, of Muncie, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. FEELY: Petitions of sundry Polish societies of Chicago, Ill., favoring House bill 16, for the erection of an equestrian statue to the late General Pulaski at Washington, D. C.—to the Committee on the Library.

Also, petitions of the Chicago Daily Drivers' Journal and the Live Stock World, requesting the enactment of the Wadsworth substitute in lieu of House bill 9206—to the Committee on Agriculture.

By Mr. HANBURY: Papers to accompany House bill 13216, for the relief of Simon W. Larkin—to the Committee on Military Affairs.

Also, papers to accompany House bill 7775, granting an increase of pension to David Parker—to the Committee on Invalid Pensions.

Also, memorial of the New York Produce Exchange, favoring House bill 8337, to amend an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Levi P. Morton Club, Ocean Hill Republican Club, of Brooklyn, and Coopers' International Union No. 2, of New York City, in favor of the proposed increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, letters of New York and Cuba Mail Steamship Company, of New York, Holland-American Line, of New York, Hamburg-American Line, of New York, and John C. Seager Company, of New York, protesting against the passage of House bill No. 9059, known as the Tawney bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HEPBURN: Resolutions of Federal Labor Union of Centerville, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. JACK: Petition of J. M. Guffey Division, No. 579, Brotherhood of Locomotive Engineers, of Greensburg, Pa., favoring the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, petition of the Transfiguration Society, of Mount Pleasant, Pa., favoring the erection of a statue to the late Brigadier-General Count Pulaski at Washington—to the Committee on the Library.

Also, petition of G. W. M. Henry and others of Latrobe, Pa., urging the passage of House bills 178 and 179, proposing to reduce the tax on whisky—to the Committee on Ways and Means.

Also, resolutions of Finley Patch Post, No. 137, Blairsville, Pa.,

and E. R. Brady Post, No. 242, Brookville, Pa., Grand Army of the Republic, favoring a bill providing pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and increasing widows' pensions to \$12 per month—to the Committee on Invalid Pensions.

By Mr. KERN: Resolutions of the Labor Union No. 8060, of New Athens, and Labor Union No. 8997, of Salem, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Lodge No. 545, Brotherhood of Railroad Trainmen, of East St. Louis, Ill., in support of the bill known as "the Foraker-Corliss safety-appliance bill"—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Ellsworth Post, No. 669, Grand Army of the Republic, Columbia, Ill., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. LANHAM: Resolutions of Lodge No. 491, Brotherhood of Locomotive Firemen, Austin, Tex., favoring an educational restriction on immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of the same lodge, in favor of the exclusion of the Chinese—to the Committee on Foreign Affairs.

By Mr. LITTLEFIELD: Petition of citizens of Thomaston, Me., for an appropriation for a monument to the memory of Maj. Gen. Henry Knox—to the Committee on the Library.

Also, resolutions of Pine Tree Lodge, No. 366, Brotherhood of Railroad Trainmen, for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. LLOYD: Protest of 54 merchants of Clarence, Mo., against the enactment of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Canton, Mo., asking for the passage of House bills 178 and 179—to the Committee on Ways and Means.

By Mr. MAHON: Resolutions of Surgeon Charles Bower Post, No. 457, Newton, Pa., and A. G. Tucker Post, No. 52, Lewisburg, Pa., Grand Army of the Republic, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: Paper to accompany House bill 13451, to correct the military record of Charles Mohn—to the Committee on Military Affairs.

Also, papers to accompany House bill 12382, granting a pension to William Sands—to the Committee on Invalid Pensions.

Also, resolutions of Robert Oldham Post, No. 527, and L. F. Chapman Post, No. 61, Grand Army of the Republic, Department of Pennsylvania, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

Also, resolutions of Street Railway Employees, Division No. 169, of Easton, Pa., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union No. 2, of Philadelphia, Pa., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolution of Onoka Lodge, No. 211, Brotherhood of Locomotive Firemen, Easton, Pa., asking that the desert-land laws be repealed, etc.—to the Committee on the Public Lands.

Also, resolutions of Onoka Lodge, Brotherhood of Locomotive Firemen, and Electrical Workers' Union No. 91, of Easton, Pa., favoring the exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. OTJEN: Petition of J. E. Rivers and other citizens of Wisconsin in favor of House bills 178 and 179, reducing the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. PERKINS: Resolution of Milkmen's Protective Union No. 8744, Rochester, N. Y., favoring the construction of war vessels at the Government navy-yards—to the Committee on Naval Affairs.

By Mr. POWERS of Maine: Paper to accompany House bill for the relief of Franklin Palmer—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: Paper to accompany House bill for the relief of Carter B. Harrison—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of B. C. Knapp—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Federal Labor Union No. 6620, of Fort Wayne, Ind., favoring the restriction of the immigration of cheap labor from the south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Petition of Buffalo Branch of International Musical Union, asking for amendment of section 5 of the immigration law to protect American musicians—to the Committee on Immigration and Naturalization.

By Mr. SMITH of Kentucky: Papers to accompany House bill granting an increase of pension to John W. Simpson—to the Committee on Invalid Pensions.

By Mr. STARK: Papers to accompany House bill 13320, granting an increase of pension to Charles E. Simmons—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: Paper to accompany House bill for the relief of the heirs of C. H. Foy—to the Committee on War Claims.

Also, papers to accompany House bill for the relief of R. N. White—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill 13499, granting a pension to Adam Young—to the Committee on Invalid Pensions.

By Mr. WILSON: Resolutions of Levi P. Morton Club, of Brooklyn, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Sam Smith Protective Union, No. 9099, of Brooklyn, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. YOUNG: Petition of Miriam Hibbs and other citizens of Philadelphia, Pa., for an amendment to the Constitution preventing polygamous marriages—to the Committee on the Judiciary.

Also, petition of John Kilinski Society, of Philadelphia, Pa., favoring the passage of House bill 16—to the Committee on the Library.

Also, petition of Typographical Union of Philadelphia, Pa., urging the defeat of House bill 5777 and Senate bill 2894, amending the copyright law—to the Committee on Patents.

Also, petition of the Woman Suffrage Society of the county of Philadelphia, Pa., asking for the appointment of a commission to investigate woman suffrage in Western States—to the Committee on the Judiciary.

By Mr. ZENOR: Resolutions of Clark Lodge, No. 297, Brotherhood of Locomotive Firemen, Jeffersonville, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

SENATE.

THURSDAY, April 10, 1902.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, without objection. It is approved.

SURG. GEN. GEORGE M. STERNBERG.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the Surgeon-General of the Army, giving his reasons why Congress should retire him with the rank of major-general in the Army of the United States on the 8th of June next; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

THE TRANSPORT SERVICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of January 21, 1902, a letter from the Commissary-General, inclosing a revised exhibit showing the cost to the Subsistence Department of the United States transports plying between the United States and the Philippine Islands during the year ended December 31, 1901, etc.; which, with the accompanying papers, was ordered to lie on the table, and be printed.

SPANISH TREATY CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 24th ultimo, a list of the claims which he is now defending before the Spanish Treaty Claims Commission, together with the number, the names and residences of all the claimants, the citizenship, etc.; which, with the accompanying papers, was referred to the Committee on Foreign Relations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented a memorial of Typographical Union No. 284, of Anderson, Ind., remonstrating against the adoption of certain amendments to the copyright law; which was referred to the Committee on Patents.

He also presented petitions of the Puritan Bed Spring Company, of Bass and Woodworth, and of the Western Furniture Company, all of the city of Indianapolis, in the State of Indiana, praying for the adoption of certain amendments to the interstate-commerce law; which were referred to the Committee on Interstate Commerce.